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SLP(C)No. 14486-14487 OF 2001

ITEM No.29

Court No. 4

SECTION XVI
A/N MATTER

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No.14486-14487/2001

(From the judgement and order dated 20/06/2001 in CAN 4592/01
,CAN 5886/01,FMAT 6/97 of The HIGH COURT OF CALCUTTA)

DAULAT SINGH SURANA & ORS.

Petitioner (s)

VERSUS

FIRST LAND ACQUISITION COLLECTOR & ORS.
(With prayer for interim relief and office report)
(For Final Disposal)

Respondent (s)

Date : 08/01/2002 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.T. THOMAS
HON'BLE MR. JUSTICE S.N. PHUKAN

For Petitioner (s) Mr. TN Singh Mehta, Sr.Adv.
Mr. Rana Mukherjee, Adv.
Mr. S. Gautam, Adv.
Mr. Pandey, Adv.
Mrs. Sumita Mukherjee,Adv.

For Respondent (s) Mr. Tapash Ray, Sr.Adv.
Mr. Satish Vig,Adv.

UPON hearing counsel the Court made the following
O R D E R

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Leave granted.
Appeal is disposed of in terms of the signed
order.

.SP1 Hemalatha (HK Bhatia)
Court Master

(signed order is placed on file

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IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS.88-89 of 2002@@
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(Arising out of SLP(C) Nos.14486-14487 of 2001@@

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It was difficult for us to comprehend as to what the division bench would have intended. We put it to the learned counsel for the appellant as to what he understood. From the reply submitted we feel that the understanding is contrary to what the respondent State has understood the order. In order to avoid the possibility of dilatory attitude to be taken by any interested person we deem it fit to set aside the impugned order to enable the division bench to pass a fresh order in terms of the directions issued by this Court in the order extracted above. We are sure that the High Court shall pass the orders without any delay.

:3:

Learned counsel for the State prayed before us that the High Court be requested to dispose of the main appeal itself without further delay. It is open to the State to make such a request before the division bench concerned.

When the impugned order is set aside the consequential order dated 23.7.2001 in C.A.N. No.5886/2001 in FMAT No.6/1997 shall also stand set aside. This would enable the division bench to pass fresh orders on the application made by the appellants.

With these observations the appeals are disposed of.

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(K.T. Thomas)@@

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New Delhi

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January 8, 2002

(S.N. Phukan)@@

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