

SLP(C)No. 14413 OF 2000
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IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL No. 2530 of 2001@@
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(Arising out of S.L.P. (Civil) 14413 of 2000)

Jamal Din ..Appellant

Vs.

High Court of Jammu & Kashmir & Ors. ..Respondents

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Leave granted.

The main ground on which the writ appeal was dismissed was that the vakalatnama had not been signed by some of the persons who filed the writ appeal. The Division Bench of the High Court took the view that writ appeal has not been validly presented on account of the said defect. Learned counsel submits that a closer look on the vakalatnama would have shown that the parties have really signed it. We do not want to sent it back to the High Court to make a closer look as the difficulty can be resolved by a simpler measure. We asked learned counsel for the appellant whether another vakalatnama could be filed so that there would be no room for doubting whether the earlier vakalatnama was signed or not. Learned counsel submitted that it would be done. Accepting the said offer made at the Bar we set aside the impugned order and remand the writ appeal back to the High Court for disposal of ..2/-

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the appeal on merits. The vakalatnama offered to be filed in the High Court shall be filed within 4 weeks from today, failing which the appeal would stand dismissed.

This appeal is disposed of accordingly.

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.....J.@@
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(K.T. THOMAS)@@
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.....J.@@
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(U.C. BANERJEE)@@
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NEW DELHI@@

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APRIL 3, 2001 @@

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APRIL 3, 2001 @@

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ITEM No.35

Court No. 4

SECTION XVIA
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.14413/2000
(From the judgement and order dated 08/05/2000 in LPA 129/2000
of The HIGH COURT OF J & K AT JAMMU)

JAMAL DIN

Petitioner (s)

VERSUS

HIGH COURT OF JAMMU & KASHMIR & ORS.
(With prayer for interim relief)

Respondent (s)

Date : 03/04/2001 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.T. THOMAS
HON'BLE MR. JUSTICE U.C. BANERJEE

For Petitioner (s)

Mr. R. Ayyam Perumal,Adv.

For Respondent (s)

Mr. Altaf Ahmad,ASG
Mr. T.C. Sharma,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.

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(N.K. Goel)
Court Master

(H.K. Bhatia)
Court Master

(Signed order is placed on the file)