

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(s).18619/2004

(From the judgement and order dated 25/06/2003 in WP No.2883/2003
of The HIGH COURT OF M.P. AT JABALPUR)

ANIL KUMAR THAKUR & ANR.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

[With appln(s) for c/delay in filing SLP and with office report]

Date: 22/01/2007 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE TARUN CHATTERJEE

HON'BLE MR. JUSTICE DALVEER BHANDARI

For Petitioner(s)

Mr. Prakash Shrivastava, Adv.

For Respondent(s) Mr. T.S. Doabia, Sr. Adv.

Mr. V.K. Verma, Adv.

Ms. Punam Sinha, Adv.

UPON hearing counsel the Court made the following

O R D E R

Delay condoned. Special Leave granted.

The appeal is allowed in terms of the signed order.

(Subhash Chander)
Court Master

(Khushi Ram)
Court Master

[Signed Order is placed on the file]

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.313 OF 2007

[Arising out of S.L.P.(C)No.18619 of 2004]

Anil Kumar Thakur & Anr.

.....Appellants

Versus

Union of India & Ors.

.....Respondents

O R D E R

Delay condoned. Special leave granted.

This appeal is filed against the judgment and order passed on 25th June 2003

by the Division Bench of the High Court of Madhya Pradesh in Writ Petition

No.2883 of 2003 by which the application for restoration of the appeal was rejected.

After hearing learned counsel for the parties and after considering the

material on record and the statements made in the application for recall, we are of the

view that the impugned order needs to be set aside. Accordingly, the impugned

order is set aside and the matter is sent back to the Central Administrative Tribunal for re-hearing on merits and in accordance with law. The parties are directed to be present before the Tribunal on 26th February 2007. It is made clear that no further notice shall be given for the purpose of appearance on that date.

The appeal is allowed accordingly. No costs.

.....J.

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[TARUN CHATTERJEE]

.....J.

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[DALVEER BHANDARI]

New Delhi.

January 22, 2007.