

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

CIVIL APPEAL NO(s).10228-10229 OF 2003

KARYAPALAN YANTRI, SINCHAI SAMBHAG & ANR. Appellant (s)
VERSUS

CHANDA (D) BY LRS. & ORS. Respondent(s)

WITH
Civil Appeal Nos.10230-10231/2003
(With office report)

Civil Appeal Nos.10232-10233/2003
(With office report)

Civil Appeal Nos.10234-102035/2003
(With office report)

Civil Appeal Nos.10236-10237/2003
(With office report)

Civil Appeal Nos.10238-10239/2003
(With office report)

Date: 23/10/2008 These Appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE C.K. THAKKER
HON'BLE MR. JUSTICE D.K. JAIN

For Appellant(s) Ms.Vibha Dutta Makhija, Adv.

For Respondent(s) Mr.Niraj Sharma, Adv. (NP)

UPON hearing counsel the Court made the following
ORDER

Heard learned counsel for the appellants. Learned counsel for the respondents was not present.

The appeals are allowed and remanded to the High Court for fresh consideration in accordance with law.

It is stated that the appeals remanded earlier by this Court have not been so far decided by the High Court. If that is so, these matters will also be placed before the High Court along with earlier appeals remanded by this Court and all the appeals should be decided together.

[Charanjeet Kaur]
Court Master

[Vinod Kulvi]
Court Master

[Signed order is placed on the file]

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. 10228-10229 OF 2003

Karyapalan Yantri, Sinchai Sambhag & Anr. .. Appellant(s)

Versus

Chanda (D) By Lrs. & Ors. .. Respondent(s)

With

CIVIL APPEAL NOS. 10230-10231/2003
CIVIL APPEAL NOS. 10232-10233/2003
CIVIL APPEAL NOS. 10234-10235/2003
CIVIL APPEAL NOS. 10236-10237/2003
CIVIL APPEAL NOS. 10238-10239/2003

ORDER

We have heard learned counsel for the appellants. Learned counsel for the respondents was not present.

It is stated by the learned counsel for the appellants that the point raised in the present appeals is squarely covered by a decision of this Court in Union of India & Anr. vs. Ranchod & Ors.-(2007)13 SCALE 641. In identical circumstances, appeals filed by the Union of India were allowed, the orders passed by the High Court were set aside and the matters were remanded to the High Court for fresh consideration in accordance with law.

Following the aforesaid decision, the present appeals are allowed, orders dated June 27, 2000 and September 01, 1999 are set aside and the appeals are remanded to the High Court for fresh consideration in accordance with law.

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C.A. Nos.10228-10229/2003..etc..contd...

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It is stated that the appeals remanded earlier by this Court have not been so far decided by the High Court. If that is so, these matters will also be placed before the High Court along with earlier appeals remanded by this Court and all the appeals should be decided together.

No costs.

.....J

[C.K. THAKKER]

.....J

[D.K. JAIN]

NEW DELHI,
OCTOBER 23, 2008.