

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).14788/2010

(From the judgement and order dated 11/03/2010 in CWP No. 726/2010
of The HIGH COURT OF H.P AT SHIMLA)

STATE OF H.P.& ORS.

Petitioner(s)

VERSUS

KESRI DEVI & ANR.

Respondent(s)

(With appln(s) for exemption from filing c/c of the impugned
Judgment, permission to file rejoinder affidavit and prayer for
interim relief and office report)

Date: 06/05/2011 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE V.S. SIRPURKAR
HON'BLE MR. JUSTICE T.S. THAKUR

For Petitioner(s) Mr. Prashant Bhushan, Adv.

For Respondent(s) Ms. Rajni Ohri, Adv.
Mr. Vikas Garg, Adv. for
Mr. M.P. Vinod, Adv.

Mr. P.S. Patwalia, Sr. Adv.
Mr. Parshant Kumar, Adv.
Mr. Anurag Sharma, Adv. for
M/s. Ap & J Chambers

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

Leave granted.
The appeal is disposed of in terms of the signed
order.

(Pardeep Kumar)
Court Master

(Shashi Bala Vij)
Court Master

(Signed order is placed on the file)

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 4020 OF 2011
[ARISING OUT OF S.L.P. (C) NO. 14788 OF 2010]

STATE OF HIMACHAL PRADESH & OTHERS

... APPELLANTS

VERSUS

O R D E R

1. Leave granted.

2. Challenge in this appeal is to the order dated 11.3.2010 whereby the High Court disposed of the Writ Petition filed by the respondent No. 1 herein.

3 We have heard learned counsel appearing for the parties and gone through the impugned order.

4. It is an admitted position that the High Court did not issue notice to any of the respondents before passing the impugned order and disposed of the Writ Petition on the first hearing itself.

5. In that view, we set-aside the impugned order and remand this matter to the High Court with a request to decide it afresh on merits in accordance with law after hearing all the parties.

6. This appeal stands disposed of accordingly.

.....J.
[V.S. SIRPURKAR]

.....J.
[T.S. THAKUR]

NEW DELHI
MAY 6, 2011.