

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 839 OF 2012

[ Arising out of SLP (CIVIL) NO. 17167 OF 2010]

DEVENDRA KUMAR GUPTA & ANR

Appellants

VERSUS

STATE OF RAJASTHAN & ORS.

Respondents

O R D E R

Leave granted.

This appeal is directed against judgment dated 17/02/2010 of the Division Bench of the Rajasthan High Court, whereby the Special Appeal preferred by the appellants against the order of the learned Single Judge upholding of the acquisition of their land was dismissed.

During the pendency of this appeal, the parties have filed several affidavits along with documents, some of which were not filed before the High Court.

In view of the above, we feel that ends of justice would be served by remitting the matter to the High Court for fresh disposal of the Special Appeal after considering the additional affidavit and the documents which may be

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filed by the parties.

With the above observation, the appeal is allowed, the impugned judgment is set aside and the matter is remitted to the High Court for deciding the Special Appeal afresh.

The parties are directed to file their respective



For Respondent(s)      Ms. Archana Pathak Dave, Adv  
                                 Mr. Milind Kumar, Adv.  
  
                                 Ms. Sandhya Goswami , Adv  
                                 Mr. MP Tomar, Adv.  
                                 Mr. Jasbeer Singh, Adv

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

Leave granted.

The appeal is allowed in terms of the signed order.

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(N.K. Goel)  
Court Master

(VEENA KHERA)  
Court Master

(Signed order is placed on the file)