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C.A.No. 11544 OF 1995

ITEM NO.115 COURT NO.07 SECTION XI

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

CIVIL APPEAL NO.11544 OF 1995@@
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DIST. MAGISTRATE & ORS. ... APPELLANT(S)

VERSUS

BANWARI LAL SHUKLA ... RESPONDENT(S)

(With office report)

Date: 30/10/2002. This/These matter(s) were called on for hearing today.@@
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CORAM:

HON'BLE MR. JUSTICE U.C. BANERJEE
HON'BLE MR. JUSTICE B.N. AGRAWAL

For Appellant (s) Mr. Subodh Markandeya, Sr. Adv.
Mr. Ashok K. Srivastava, Adv.

For Respondent(s) Mr. Govind Ram Misra, Adv.
Mr. C.L. Sahu, Adv.

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

.....L.....I....T.....T.....T.....T.....T.....T....J.
.SP2

Heard learned counsel for the parties for fifteen minutes.

The appeal is dismissed in terms of the signed order. No order, however, as to costs.

.SP1

(K.K. Chawla) (Shelly Sengupta)@@
AA
Court Master Court Master

[Signed order is placed on the file]

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IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.11544 OF 1995@@
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DIST. MAGISTRATE & ORS. APPELLANTS

VERSUS

BANWARI LAL SHUKLA

RESPONDENT

O R D E R@@
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.SP2

Upon hearing the submissions made on behalf of the parties, we cannot but lend our concurrence to the views expressed by the High Court in the matter in issue. As such, this appeal fails and is dismissed. No order, however, as to costs.

The refund be effected in terms of the High Court's order with utmost expedition and within a period of eight weeks from the date of communication of this order.

.SP1

.....J.
(U.C. Banerjee)

.....J.
(B.N. Agrawal)

New Delhi,
October 30, 2002.