

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION  
CIVIL APPEAL NO.3329 OF 2011  
(@ SPECIAL LEAVE PETITION(C)NO.21316 OF 2010)

DARSHAN KUMAR(D) BY LRS.& ORS.

APPELLANTS

VERSUS

TEJBIR SINGH

RESPONDENT

O R D E R

Delay condoned in filing S.L.P. and in filing Substitution application.

Application for substitution is allowed.

Leave granted.

We have heard learned counsel for the parties.

In the facts and circumstances of this case, we deem it appropriate to set aside the impugned judgment and remit the matter to the High Court for deciding the same on merit, after hearing learned counsel for the parties. This order is subject to payment of cost of Rs.40,000/- to be paid within three weeks by the appellant(s) to the respondent.

To avoid any delay, we direct the parties to appear before the High Court on 02.05.2011. We also request the High Court to dispose of this matter as expeditiously as possible.

With these observations, this appeal is disposed of, leaving the parties to bear their own costs.

.....J.  
(DALVEER BHANDARI)

.....J.  
(DEEPAK VERMA)

NEW DELHI;  
18TH APRIL, 2011