

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
ITEM NO.51

COURT NO.4

SECTION IVB

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).21316/2010

(From the judgement and order dated 05/03/2009 in RSA No. 1711/1989 of The HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

DARSHAN KUMAR(D) BY LRS.& ORS.

Petitioner(s)

VERSUS

TEJBIR SINGH

Respondent(s)

(With appln(s) for c/delay in filing SLP,substitution,c/delay in filing substitution appln. and prayer for interim relief and office report)

I.A.No.8 (Appln. for c/delay in filing rejoinder affidavit)

Date: 18/04/2011 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DALVEER BHANDARI
HON'BLE MR. JUSTICE DEEPAK VERMA

For Petitioner(s) Mr.Sudhir Walia, Adv.
Mr.Sanchit Ahluwalia, Adv.
Mr. Abhishek Atrey,Adv.

For Respondent(s) Mr. Nikhil Nayyar,Adv.
Mr.T.V.S.Raghavendra Sreyas, Adv.
Mr.Swapnil Verma, Adv.

UPON hearing counsel the Court made the following
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.

: 2 :

The appeal is disposed of leaving the parties to bear their own costs, in terms of the signed order.

(G.V.Ramana)
Court Master
(signed order is placed on the file)

(Neeru Bala Vij)
Court Master