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IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.4124 OF 2001

NISARUDDIN (DEAD) THR. LRS. & ORS. APPELLANTS

VERSUS

COLLECTOR, MANDSAUR (M.P.)UDAIPUR & ANR RESPONDENTS

O R D E R

The appellants have preferred this appeal by special leave against the impugned order dated 3.8.1999, passed by the High Court of Madhya Pradesh in S. A. No.6/98.

The High Court in the aforesaid second appeal, which involved determination of rights under the Ryotwari of Gwalior State Samvat 1974, Madhya Bharat Land Revenue and Tenancy Act, 1950, Madhya Bharat Zamindari Abolition Act, 1951, and Madhya Pradesh Land Revenue Code, 1959, has passed the following order :

â S Heard Shri AP Polekar, counsel for the appellants.

Smt. Meena Chaphekar, P.L. for Resp.1.

Considered the record.

No substantial question of law involved.

Dismissed.â \235

This Court has time and again laid down that reason is the soul of a decision and it constitutes the link between the facts of the case and the

2

decision thereon.

The aforesaid impugned order obviously does not conform to any standard of determination of substantial question of law. It was necessary for the High Court to give at least some reasons as to how no substantial question of law was involved in the second appeal, even if the court was of that view.

Accordingly, we allow this appeal and set aside the impugned order passed by the High Court and remand the matter back to the High Court for decision afresh.

The High Court is requested to decide the second appeal on its own merits in accordance with law within a period of three months from the date of receipt of copy of this order.

Status quo, as it exists today, shall continue pending determination of the said appeal before the High Court.

It is made clear that we have not expressed any opinion on the merits of the case.

.....J

[S. A. BOBDE]

.....J

[L. NAGESWARA RAO]

New Delhi;

FEBRUARY 14, 2017.

3

ITEM NO.101

COURT NO.9

SECTION IV

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

RECORD OF PROCEEDINGS

Civil Appeal No.4124/2001

NISARUDDIN(DEAD) THR. LRS. & ORS.

Appellant(s)

VERSUS

COLLECTOR, MANDSAUR (M.P.)UDAIPUR & ANR
(Office report)

Respondent(s)

Date : 14/02/2017 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.A. BOBDE

HON'BLE MR. JUSTICE L. NAGESWARA RAO

For Appellant(s) Mr. Pallav Shishodia, Sr. Adv.

Mr. H.D. Thanvi, Adv.
Mr. Rishi Matoliya, Adv.
Ms. Ishita Jakhmola, Adv.

For Mr. Mukul Kumar, Adv.

For Respondent(s) Mr. C. D. Singh, Adv.

Mr. Sandeepan Pathak, Adv.

UPON hearing the counsel the Court made the following

O R D E R

The appeal is allowed in terms of the signed order.

Pending interlocutory applications, if any, stand disposed of.

(Sanjay Kumar-II) (Indu Pokhriyal)

Court Master Court Master

(Signed Order is placed on the file)