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SLP(C)No. 20855 OF 2000

ITEM No.42

Court No. 5

SECTION IVA
A/N MATTER

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.20855/2000

(From the judgement and order dated 27/07/2000 in SA 220/99
of The HIGH COURT OF M.P AT INDORE)

STATE OF M.P.

Petitioner (s)

VERSUS

BHANWAR SINGH AND ORS.

Respondent (s)

(With prayer for interim relief)
(With Appln(s). for bringing LR's on record)

Date : 23/04/2001 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.T. THOMAS
HON'BLE MR. JUSTICE R.P. SETHI

For Petitioner (s) Mr. B.S. Banthia, Adv.
Mr. BR Atre, Adv.

For Respondent (s)

UPON hearing counsel the Court made the following

O R D E R

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

Application for substitution allowed.
Leave granted.
Appeal is disposed of.

.SP1

Hemalatha

(HK Bhatia)
Court Master

(Signed order is placed on file)

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IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.....OF 2001@@
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(Arising from SLP(C) No.20855/2000)

STATE OF M.P.

... APPELLANT

VS.

BHANWAR SINGH AND OTHERS

... RESPONDENTS

O R D E R@@
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.SP2

Leave granted.

The High Court by the impugned order refused to allow the application for impleading the legal representative of two respondents on the ground that the application was filed after a delay of 103 days. We take into account the fact that it was the State which moved the application. The ground urged for justification of the delay involved in finding out all the necessary details for making the application are also considered by us. We are inclined to adopt a liberal attitude, and hence we condone the delay of 103 days in filing the said application for impleadment. Consequently the application for impleadment would also stand allowed. In the aforesaid terms this appeal is allowed and the impugned order is set aside.

Now, the second appeal will be disposed of on merits.

.SP1

.....J
(K.T. Thomas)

New Delhi
23 April, 2001

.....J
(R.P. Sethi)