

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

Petition(s) for Special Leave to Appeal (Civil) No(s).23041/2005

(From the judgement and order dated 15/02/2005 in CR No. 63/2004
of The HIGH COURT OF RAJASTHAN AT JODHPUR)

STATE OF RAJASTHAN

Petitioner(s)

VERSUS

SATYA PAL & ORS.

Respondent(s)

(With prayer for interim relief and office report)
(For final disposal)

Date: 01/10/2010 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE V.S. SIRPURKAR
HON'BLE MR. JUSTICE CYRIAC JOSEPH

For Petitioner(s) Mr. Puneet Jain, Adv.
Ms. Christi Jain, Adv.
Ms. Trishna, Adv. for
Mr. Sushil Kumar Jain, Adv.

For Respondent(s)

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

Leave granted.

The appeal is allowed in terms of signed order.

(Shashi Sareen)
Court Master

(Shashi Bala Vij)
Court Master

[SIGNED ORDER IS PLACED ON THE FILE]
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL No. 8604 OF 2010
(Arising out of SLP (C) No. 23041 of 2005)

STATE OF RAJASTHAN

... Appellant(s)

Versus

SATYA PAL & ORS.

... Respondent(s)

O R D E R

1. Leave granted.

2. Despite service of notice, no one is present on behalf of the respondents.

3. Mr. Puneet Jain, learned counsel appearing on behalf of the petitioner points out that service is complete on all the respondents in this court.

4. We have considered the order of the High Court whereby the appeal was dismissed on the ground of peremptory order and also the High Court refused to restore the same.

5. In our opinion, this appeal deserves to be allowed as according to Mr. Puneet Jain, learned counsel appearing for the petitioner the unserved respondents were only proforma respondents against whom no relief was claimed.

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6. In the circumstances of the case, the order of the High Court is set aside and S.B.Civil Misc. Appeal No. 1763 of 2000 is restored.

7. The appeal is allowed accordingly.

.....J.
(V.S.SIRPURKAR)

.....J.
(CYRIAC JOSEPH)

New Delhi,
October 1, 2010.