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SLP(C)No. 19952-19953 OF 2003
ITEM No.9

Court No. 2

SECTION IVB
A/N MATTER

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.19952-19953/2003

(From the judgement and order dated 28/11/2002 in FAO 908 and 909/01
of The HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

STATE OF PUNJAB & ORS.

Petitioner (s)

VERSUS

DALBARA SINGH & ORS.
(With prayer for interim relief and office report)

Respondent (s)

Date : 07/03/2005 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE N. SANTOSH HEGDE
HON'BLE MR. JUSTICE S.B. SINHA
HON'BLE MR. JUSTICE B.N. SRIKRISHNA

For Petitioner (s)Mr. Atul Nanda,AAG Pb.
Mr. Arun K. Sinha,Adv.

For Respondent (s)Mr. Rishi Malhotra,Adv.
Mr. Prem Nath Malhotra,Adv.

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

Despite service of notice some of the respondents have not put in appearance.
By the impugned order, the High Court dismissed a first appeal without discussing the merits of the case nor having perused the evidence. We think High Court being the last court of appeal on facts, in such matters it was necessary for the High Court to have gone into the facts and other question arising in the appeal. This not having been done, we think it appropriate to set aside the order of the High Court and remand the matter back to the High Court to dispose of the matter in accordance with law. With the above observation these SLPs are disposed of.

(Ganga Thakur)
PS to Registrar

(Prem Prakash)
Court Master