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SLP(C)No. 20089 OF 2000

ITEM No.203

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  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No.20089/2000

(From the judgement and order dated 06/09/2000 in CWP 11035/00  
of The HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

CHAMAN LAL

Petitioner (s)

VERSUS

STATE OF PUNJAB & ORS.  
(With prayer for interim relief)  
( For Final Disposal )

Respondent (s)

Date : 12/10/2001 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.P. BHARUCHA  
HON'BLE MR. JUSTICE Y.K. SABHARWAL

For Petitioner (s) Mr. Neeraj Kumar Jain, Adv.  
Mr. Aditya Kumar Chaudhary, Adv.  
Mr. Bharat Singh, Adv.  
Mr. Ugra Shankar Pd.,Adv.

For Respondent (s) Mr. Rajeev Sharma,Adv.

UPON hearing counsel the Court made the following  
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Leave granted.  
The civil appeal is allowed.  
No order as to costs.

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(N. Annapurna) (Shelly Sengupta)  
Court Master Court Master

(Signed order is placed on the file.)

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IN THE SUPREME COURT OF INDIA@@  
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CIVIL APPELLATE JURISDICTION@@

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CIVIL APPEAL NO. 7134 OF 2001@@  
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(Arising out of S.L.P.(C) No.20089/2000)

Chaman Lal .....Appellant(s)

versus

State of Punjab & Ors. ...Respondent(s)

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Leave granted.

The notice on the special leave petition stated that the matter might be disposed of at this stage by setting aside the order under challenge and restoring the writ petition to the file of the High Court to be heard and disposed of on merits.

The High Court has disposed of the writ petition filed by the appellant on the basis that there was no ground to interfere with the orders impugned thereby. It also said that the order would not be viewed as a comment on the election petition in which the appellant was the respondent. In the election petition the point at issue is the point that is at issue in the writ petition.

We have heard learned counsel and we are of the view that the writ petition needs to be heard and disposed of on merits by a more detailed order than that which is under challenge.

Nothing that we say shall be construed to be a comment on the case on either side.

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Accordingly, the civil appeal is allowed. The order under challenge is set aside and the writ petition (C.W.P.No.11035 of 2000 (O&M)) is restored to the file of the High Court of Punjab and Haryana to be heard and disposed of on merits.

The order of status quo that was passed by this Court on 15th December, 2000 shall operate for a period of six weeks and it shall be open to the appellant to move the High Court for further interim relief.

No order as to costs.

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(S.P. BHARUCHA)@@

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.....J.@@

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(Y.K. SABHARWAL)@@

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New Delhi, @@

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October 12, 2001. @@

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