

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.138/2000

(From the judgement and order dated 22/04/1999 in WP 2944/97
of The HIGH COURT OF BOMBAY AT AURANGABAD)

CHHABILDAS & ANR.

Petitioner (s)

VERSUS

JALGAON MUNICIPAL COUNCIL & ORS.
(With prayer for interim relief)

Respondent (s)

Date : 12/01/2001 This Petition was called on for hearing today.

CORAM :

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

For Petitioner (s)

Mr. A.S. Bhasme,Adv.

For Respondent (s)

Mr. K.K. Singhvi, Sr.Adv.
Mr. Sunil Kr. Verma, Adv.
Mr. Shivaji M. Jadhav,Adv.

Mr. Sanjay R. Hegde,Adv.

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

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

Leave granted.
The appeal is allowed. No order as to costs.

.SP1

(N. Annapurna)
Court Master

(Shelly Sengupta)
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. 532 OF 2001@@
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(Arising out of S.L.P.(C) No.138/2000)

Chhabildas & Anr.

....Appellant(s)

versus

Jalgaon Municipal Council & Ors.

...Respondent(s)

O R D E R@@
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Leave granted.

We have read the judgment and order under challenge. It was passed at a final hearing stage of the writ petition that was filed before the High Court by the present appellants. We are of the view that the writ petition deserves greater consideration than has been given, as shown by the impugned judgment. We refrain from going into any further details because we do not express any opinion on the merits of the writ petition. We make it clear that every available argument shall be open to the writ petitioners and to the respondents to the writ petition.

Accordingly, the appeal is allowed. The judgment and order under appeal is set aside. The Writ Petition (No.2944/1997) shall be restored to the file of the High Court at Bombay, ..2/-

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Aurangabad Bench, to be heard and disposed of afresh expeditiously.

No order as to costs.

.SP1

.....J.
(S.P. Bharucha)

.....J.
(Doraiswamy Raju)

.....J.
(Y.K. Sabharwal)

New Delhi,
January 12, 2001.