

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.19760/2000

(From the judgement and order dated 23/11/2000 in WP 2276/00
of The HIGH COURT OF M.P AT INDORE)

CHHATTISGARH STATE ELECTRICITY BOARD

Petitioner (s)

VERSUS

OMI KHANDELWAL & ORS.

Respondent (s)

Date : 30/11/2000 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.P. BHARUCHA
HON'BLE MR. JUSTICE DORAISWAMY RAJU
HON'BLE MRS. JUSTICE RUMA PAL

For Petitioner (s) Mr. Ravindra Shrivastava, Adv.Genl., Chhattisgarh.
Mr. Anoop G.Choudhri, Sr.Adv.
Mr. Prakash Shrivastava,Adv.

For Respondent (s) Mr. C.S.Vaidyanathan, Sr.Adv.
Mr. Sakesh Kumar, Adv.
Ms. Suman Bala Rastogi,Adv.

UPON being mentioned by the counsel the Court made the following
O R D E R

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.SP2

Taken on Board.
Heard.
Leave granted.
The appeal is allowed. No order as to costs.

.SP1 (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. OF 2000@@
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(Arising out of S.L.P.(C) No.19760/2000)

The Chhattisgarh State Elec.BoardAppellant(s)

versus

Omi Khandelwal & Ors. . . .Respondent(s)

O R D E R@@
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L.....L.....I.....T.....T.....T.....T.....T.....T.....T.....J
.SP2

Taken on Board.
Heard.
Leave granted.

We are of the view that this ex-parte stay order on a public interest litigation ought not to have been passed. We decline to go into greater detail because we are told that the matter is to appear on the board of a Division Bench, after notice. The Division Bench can now hear the matter and pass appropriate orders.

The appeal is allowed. The order under challenge is set aside.

No order as to costs.

.SP1

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

.....J.
(Doraiswamy Raju)

.....J.
(Ruma Pal)

New Delhi,
November 30, 2000.