

SLP(C)... 2012 OF 2004

ITEM No.53

Court No. 1

SECTION XVII

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). 8175/2004  
(CC 2012/2004)  
(From the judgement and order dated 16/05/2003 in LPA 396/2003  
of The HIGH COURT OF PATNA)

UNION OF INDIA & ORS.

Petitioner (s)

VERSUS

MUKTA GUPTA

Respondent (s)

(With appln(s). for c/delay in filing SLP and office report)

Date : 19/04/2004 This Petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE S.B. SINHA  
HON'BLE MR. JUSTICE S.H. KAPADIA

For Petitioner (s)Mr. Mukul Rohtagi, ASG  
Mr. Vipin Sanghi, Adv.  
Mrs Anil Katiyar,Adv.

For Respondent (s)

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

Delay condoned.

Leave granted.

The appeal is disposed of. No costs.

[ Alka Dudeja ] [ Janki Bhatia ]  
Court Master Court Master

[Signed order is placed on the file]

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 2599 OF 2004  
(Arising out of S.L.P. [C] No. 8175 of 2004)

(CC No. 2012 of 2004)

Union of India and Ors.

... Appellant (s)

Versus

Mukta Gupta

... Respondent(s)

O R D E R

Leave granted.

Learned counsel appearing for the appellants has pressed this appeal only on the question of award of cost, which has been directed to be recovered from the concerned officer. We are of the view that this case does not call for passing of such order.

We, accordingly, set aside the impugned order passed by the Division Bench, dated 16th May, 2003, affirming the order of the learned Single Judge, to the extent it directs that the cost be recovered from the concerned officer.

The appeal is, accordingly, disposed of. No costs.

.....CJI.

.....J.  
(S.B. Sinha)

.....J.  
(S.H. Kapadia)

New Delhi,  
April 19, 2004.