

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(s).8248/2006

(From the judgement and order dated 02/01/2004 in LPA No. 12/2004 & WP No. 3692/2003 of The HIGH COURT OF CHHATTISGARH AT BILASPUR)

DWARIKA PRASAD CHOUBEY Petitioner(s)

VERSUS

STATE OF CHHATTISGARH & ORS. Respondent(s)

(With appln(s) for c/delay in filing SLP,exemption from filing O.T.,c/delay in refiling SLP and office report) (For final disposal)

Date: 18/09/2009 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.V. RAVEENDRAN
HON'BLE MR. JUSTICE B. SUDERSHAN REDDY

For Petitioner(s) Mr. Manoj Prasad,Adv.

For Respondent(s) Mr. Atul Jha, Adv.
Mr. Dharmendra Kumar Sinha,Adv.

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

Delay condoned. Leave granted.

Appeal stands disposed of in terms of the signed order.

(Ravi P. Verma) (M.S. Negi)
Court Master Court Master

[Signed order is placed on the file]
IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 6408 OF 2009
[Arising out of SLP(C) NO.8248/2006]

DWARIKA PRASAD CHOUBEYAPPELLANT(S)

Versus

STATE OF CHHATTISGARH & ORS.RESPONDENT(S)

O R D E R

Leave granted. Heard the counsel.

The appellant challenges the order dated 2.1.2004

passed by learned single Judge by filing a Letters Patent Appeal. The said LPA was rejected as not maintainable, by impugned order dated 25/6/2005.

Learned counsel for the appellant stated that a writ appeal is maintainable in view of a retrospective law. In view of the above, the order dated 25/6/2005 is set aside and the appeal is restored to the file of the High Court. Appeal, accordingly, stands disposed of.

.....J.
(R.V. RAVEENDRAN)

New Delhi;
September 18, 2009.

.....J.
(B. SUDERSHAN REDDY)