

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).23838/2005
(From the judgement and order dated 01/07/2005 in CAN No.5179/2004
in FMA No. 2532/2002 of The HIGH COURT OF CALCUTTA)

DAMODAR VALLEY CORPORATION AND ORS.

Petitioner(s)

VERSUS

MANTU LAL LAYAK AND ORS.

Respondent(s)

(With prayer for interim relief and office report)
(For final disposal)

Date: 11/07/2008 This Petition was called on for hearing today.

CORAM :

HON'BLE Dr. JUSTICE ARIJIT PASAYAT
HON'BLE MR. JUSTICE HARJIT SINGH BEDI

For Petitioner(s) Mr. Gopal Subramaniam, A.S.G.
Mr. Mohit Paul,Adv.
Mr. Anip Sachthey,Adv.

For Respondent(s) Mr. Ranjan Mukherjee,Adv.
Mr. Tara Chandra Sharma,Adv.
Ms. Neelam Sharma,Adv.
Mr. Kishan Datta,Adv.
Mr. Hiren Dasan,Adv.
Mr. Dharendra Kr. Mishra,Adv.
Mrs Sarla Chandra,Adv.

UPON hearing counsel the Court made the following
ORDER

Leave granted.

The appeal is allowed in terms of the signed order.

(Vijay Aggarwal)
Court Master

(Neena Verma)
AR-cum-PS

Signed order is placed on the file.
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.4335 OF 2008
(Arising out of S.L.P.(C) No.23838 of 2005)

Damodar Valley Corporation and Ors.

...Appellants

Versus

Mantu Lal Layak and Ors.

...Respondents

ORDER

Heard learned counsel for the parties.

Leave granted.

The High Court's order is clearly contrary to law. The
directions given purportedly relying on the Office Memorandum dated
07.02.1995 are indefensible. The said Office Memorandum has no
relevance to the present dispute. Therefore, the appeal is allowed and
the impugned order of the High Court is set aside.

.....J.

(Dr. ARIJIT PASAYAT)

.....J.

(HARJIT SINGH BEDI)

New Delhi,
July 11, 2008.