

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).23510/2004

(From the judgement and order dated 08/07/2004 in CWP No.14796/2003
of The HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

STATE OF PUNJAB & ORS.

Petitioner(s)

VERSUS

AVTAR SINGH

Respondent(s)

(With prayer for interim relief and office report)

Date: 10/01/2008 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.N. AGRAWAL
HON'BLE MR. JUSTICE J.M. PANCHAL

For Petitioner(s) Mr. Kuldip Singh,Adv.

Mr. R.K. Pandey,Adv.
Mr. Sanjay Katyal,Adv.
Mr. Ajay Pal,Adv.

For Respondent(s)

Mr. Wills Mathews,Adv.
Mr. A. Jayaram,Adv.
Mr. Thomas Joseph Arackaparamban,Adv.
Mr. M.K. Michael,Adv.

UPON hearing counsel the Court made the following
ORDER

Leave granted.

Heard learned counsel for the parties.

The civil appeal is allowed.

No costs.

[T.I. Rajput]

[Om Prakash]

A.R.-cum-P.S.

Court Master

[Signed order is placed on the file]

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.310 OF 2008
(Arising out of S.L.P. (C) No.23510 of 2004)

State of Punjab & Ors.

...Appellant(s)

Versus

Avtar Singh

...Respondent(s)

O R D E R

Leave granted.

Heard learned counsel for the parties.

It has been stated that in State of Punjab & Ors. vs. Lakhwinder Singh & Ors. (Civil Appeal No.7995 of 2002), by order dated 7th September, 2006, the matter has been remanded to the High Court for a fresh decision. In our view, the appellants are entitled to the same order. Accordingly, the civil appeal is allowed, impugned judgement rendered by the High Court is set aside and the matter is remanded to that court for decision of the writ application afresh on merits in accordance with law.

It is made clear that this Court is not expression any opinion on the merits of the claim made by the concerned employee.

No costs.

.....J.
[B.N. AGRAWAL]

.....J.
[J.M. PANCHAL]

New Delhi,
January 10, 2008.