

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 6998 OF 2014  
(@ Special Leave Petition (C) No. 22646/2011)

NAUMI LAL & ANR. .. APPELLANTS  
VERSUS  
STATE OF U.P. & ORS. .. RESPONDENTS

O R D E R

Leave granted.

The present appeal, by special leave, is preferred against the order dated 22.07.2011 passed by the High Court of Judicature at Allahabad in Writ Petition (M/B) No. 7193 of 2011. The Division Bench of the High Court has dismissed the writ petition by passing the following order:

"We have gone through the order passed by the District Magistrate, Lucknow and we are convinced that the fishing rights could not have been granted to petitioner nos. 1 and 2 with respect to the pond in question and that too, without following the procedure and, therefore, he has rightly cancelled the same and has directed for making fresh allotment, in accordance with law".

Having heard Mr. Anoop Kr. Srivastava, learned

Signature Not Verified

Digitally signed by  
Naveen Kumar  
Date: 2014.08.02  
12:25:05 IST

counsel for the appellants and Mr. Ram Kishore Singh Yadav,

Reason:

learned counsel for the State, we are of the considered

opinion that the aforesaid order is absolutely laconic and no reason has been ascribed, what procedures are violated

2

in the grant of lease and how the cancellation is justified. Needless to say, when the High Court had opined that the fishing rights could not have been granted without following the procedure and, therefore, the cancellation

was justified, it was incumbent on it to advert to the issue what procedures were required to be followed. In the absence of the same, there can be no shadow of doubt that order is cryptic and bereft of reason.

In the result, we allow the appeal, set aside the impugned order and remit the matter to the High Court for disposal in accordance with law. There shall be no order as to costs.

.....J.  
(DIPAK MISRA)

.....J.  
(PINAKI CHANDRA GHOSE)

NEW DELHI  
JULY 30, 2014

3

ITEM NO.202

COURT NO.7

SECTION XI

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 (C) No(s). 22646/2011

(Arising out of impugned final judgment and order dated 22/07/2011 in WP No. 7193/2011 passed by the High Court Of U.p At Lucknow)

NAUMI LAL & ANR

Petitioner(s)

VERSUS

STATE OF U.P.TR.PRINL.SEC.REV.& ORS.

Respondent(s)

(with appln. (s) for permission to place addl. documents on record and office report) (For final disposal)

Date : 30/07/2014 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE DIPAK MISRA  
HON'BLE MR. JUSTICE PINAKI CHANDRA GHOSE

For Petitioner(s) Mr. Anoop Kr. Srivastav, Adv.  
Mr. Vipin Kr. Saxena, Adv.  
Mr. D.P. Singh Yadav, Adv.

For Respondent(s) Mr. R.K.S. Yadav, Adv.  
Mr. Vinay Garg ,Adv.

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

Leave granted.  
Appeal is allowed in terms of the signed order.

(NAVEEN KUMAR)  
COURT MASTER

(RENUKA SADANA)  
COURT MASTER

(Signed order is placed on the file)