

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).26490/2009

(From the judgement and order dated 19/02/2009 in LPA No. 407/2003 & WP No. 2909/2001 of The HIGH COURT OF JHARKHAND AT RANCHI)

SHIRISH CHANDRA VATSYAYAN TH. LRS. Petitioner(s)

VERSUS

STATE OF BIHAR & ORS. Respondent(s)

(With appln(s) for c/delay in filing SLP and prayer for interim relief and office report )

Date: 11/07/2011 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE HARJIT SINGH BEDI  
HON'BLE MRS. JUSTICE GYAN SUDHA MISRA

For Petitioner(s)

Mr. Rashmikumar Manilal Vithlani,Adv.

For Respondent(s)

Mr. Gopal Singh, Adv.

Mr. Anil K. Jha, Adv.  
Ms. Chhaya Kumari, Adv.

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

Delay condoned.  
Leave granted.  
The appeal is allowed in terms of the signed order.

(Sukhbir Paul Kaur)  
Court Master

(Vinod Kulvi)  
Court Master

(Signed Order is placed on the file)  
IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.5807 OF 2011  
(Arising out of SLP(C) No.26490 OF 2009)

SHIRISH CHANDRA VATSYAYAN TH. LRS. Appellant(s)

Versus

STATE OF BIHAR AND ORS. Respondent(s)

O R D E R

Leave granted.

Delay condoned.

We have heard learned counsel for the parties.

We had issued limited notice in this matter as to why it should not be remanded in the light of the order of the learned Single Judge.

We have gone through the order dated 28th January, 2000 in C.W.J.C. No. 2984 of 1998(R) and the order dated 27th January, 2003 in W.P.(S) No. 2909 of 2001. We are of the opinion that certain observations have been made by the High Court in these two orders which could be read to mean that the claim of the appellant had been settled with effect from the year 1991. This matter would therefore, be the main issue to be decided between the parties.

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We, accordingly, allow this appeal, set aside the impugned judgment dated 19th February, 2009 and remand the case to the High Court.

The appellant has since retired. We request the High Court to dispose of the matter within six months. We also clarify that nothing said in this order will be read to mean as an expression of opinion on the merits of the case.

.....J.  
(HARJIT SINGH BEDI)

.....J.  
(GYAN SUDHA MISRA)

New Delhi,  
July 11, 2011