

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 (Civil) No(s).29377/2008

(From the judgement and order dated 30/01 / 2008 in W P No. 2079/2007
of The H I G H C O U R T O F B O M B A Y)

U N I O N O F I N D I A & O R S .

Petitioner(s)

V E R S U S

I R F A N A H M E D

Respondent(s)

Date: 23/03 /2009 This Petition was called on for hearing today.

C O R A M :

H O N ' B L E M R . J U S T I C E L O K E S H W A R S I N G H P A N T A

H O N ' B L E M R . J U S T I C E B . S U D E R S H A N R E D D Y

For Petitioner(s)

Mr. Mohan Parasaran, ASG
Mr. D.L. Chidananda, Adv.
Mr. Arijith Prasad, Adv.
Mrs. Anil Katiyar, adv.
Mr. Shreekant N. Terdal, Adv.

For Respondent(s)

Mr. Sanjay Parikh, Adv.
Mr. Jitin Sahni, Adv.
Ms. Mamta Saxena, Adv.
Ms. Rashmi Nandkumar, Adv.
Mr. A.N. Singh, Adv.
Ms. Anitha Shenoy, Adv.

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

Leave granted.

Heard learned counsel for the parties.

The impugned order is set aside and appeal is allowed in
terms of the signed order. No order as to costs.

(Ajay Kr. Jain)
Court Master

(Vinod Kulvi)
Court Master

(Signed order is placed on the file)
I N T H E S U P R E M E C O U R T O F I N D I A
C I V I L A P P E L L A T E J U R I S D I C T I O N

C I V I L A P P E A L N O . 1 8 2 9 O F 2 0 0 9
(Arising out of S L P (C.) No.29377 of 2008)

Union of India & Ors.

.... Appellants

Versus

Irfan Ahmed

.... Respondent

O R D E R

Leave granted.

Heard learned counsel for the parties.

The order of the High Court impugned in this appeal manifestly

is unreasoned, one which cannot be sustained. Both the parties have consented to the proposal of sending the matter back to the High Court for taking fresh decision. Accordingly, without embarking upon the merits of the case, we set aside the impugned order and remit the matter to the High Court for taking fresh decision on merits and in accordance with law. We make it clear that allowing of this appeal will not be construed as an expression of any opinion on the merits of the case.

The impugned order is accordingly set aside and appeal is allowed. No order as to costs.

.....J.
(LO K E S H W A R S I N G H P A N T A)

.....J
.
(B. S U D E R S H A N R E D D Y)

New Delhi
March 23, 2009