

ITEM NO.101 (PH) &amp; 122

COURT NO.7

SECTION IV/IVB

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

CIVIL APPEAL NO. 9450/2010

UDEY BHAN @ UDEY RAM &amp; ORS.

APPELLANT(S)

VERSUS

STATE OF HARYANA &amp; ORS.

RESPONDENT(S)

WITH

C.A. NO. 9451/2010

C.A. NO. 9452/2010

C.A. NO.9808/2010

[WITH OFFICE REPORT]

C.A. NO.9807/2010

C.A. NOS.9778-9780/2011

S.L.P. (C) ...CC NO.2410-2481/2016

[WITH APPLN.(S) FOR C/DELAY IN FILING SUBSTITUTION APPLN. AND  
PERMISSION TO FILE SLP AND SUBSTITUTION AND OFFICE REPORT]

SLP(C) NOS. 6075-6079/2010

[WITH OFFICE REPORT FOR DIRECTION]

SLP(C) NOS. 6145-6148/2010

[WITH OFFICE REPORT FOR DIRECTION]

SLP(C) NOS.4272-4277/2010

[WITH OFFICE REPORT FOR DIRECTION]

Date : 17/02/2016 These cases were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE RANJAN GOGOI

HON'BLE MR. JUSTICE PRAFULLA C. PANT

For parties (s)

Mr. B.S. Maan, Adv.  
 Ms. Simita Maan, Adv.  
 Mr. Satyawan Rathi, Adv.  
 Mr. Hitesh Kumar Sharma, Adv.  
 Mr. M. A. Chinnasamy, Adv.

Mr. Anish Kumar Gupta, AAG  
 Mr. Chandra Shekhar Suman, Adv.  
 Mr. Sanjay Kumar Visen, Adv.  
 Ms. Deepshikha Bharti, Adv.

Dr. Sushil Balwada, Adv.

Mr. M.L. Sharma, Adv.  
 Mr. Dinesh Verma, Adv.  
 Mr. Subhasish Bhowmick, Adv.

Mr. Ravindra Keshavrao Adsure, Adv.

Mr. Kamal Mohan Gupta, Adv.

Mr. Ajay Pal, Adv.

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

SLP(C)... CC NO. 2410-2481/2016

Special Leave Petition (Civil).. CC No.2410-2481 of 2016 are de-tagged.

C.A. Nos.9450/2010, 9451/2010, 9452/2010, 9808/2010, 9807/2010, 9778-9780/2011, Special Leave petition (Civil) Nos.6075-6079/2010, 6145-6148/2010, 4272-4277/2010

Leave granted in all the Special Leave Petitions.

The appeals are disposed of in terms of the signed order.

[VINOD LAKHINA]  
 COURT MASTER

[ASHA SONI]  
 COURT MASTER

[SIGNED ORDER IS PLACED ON THE FILE]

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION  
CIVIL APPEAL NO. 9450/2010

UDEY BHAN @ UDEY RAM  
& ORS. . . . APPELLANTS

VERSUS

STATE OF HARYANA & ORS. . . . RESPONDENTS

WITH

C.A. NOS.9451/2010, 9452/2010, 9808/2010,  
9807/2010, 9778-9780/2011, C.A.  
NOS.1486-1490 OF 2016 [SPECIAL LEAVE  
PETITION (CIVIL) NOS.6075-6079/2010,]  
C..A. NOS.1491-1494 OF 2016[SPECIAL LEAVE  
PETITION (C) NOS.6145-6148/2010 AND C.A.  
NOS.1496-1501 OF 2016 [SPECIAL LEAVE  
PETITION (CIVIL) NOS.4272-4277/2010]

ORDER

1. Leave granted in all the Special  
Leave Petitions.

2. Having heard the learned counsels  
for the parties we find that the High Court  
in passing the impugned judgment had relied

upon its earlier judgment dated 10<sup>th</sup> February, 2009 passed in R.F.A. No.1 of 2006 (State of Haryana and another Versus Jagbir Singh and others). It has been brought to our notice that the aforesaid order of the High Court dated 10<sup>th</sup> February, 2009 had been challenged in a series of Civil Appeals which has been disposed of by this Court by order dated 18<sup>th</sup> September, 2013 passed in Civil Appeal Nos. 6837-6851 of 2009 (Roop Chand & Another etc. Versus State of Haryana and others) and other connected cases and by order dated 3<sup>rd</sup> December, 2014 passed in Civil Appeal No.8344 of 2010 (Mana Mohan Lal Versus State of Haryana & Anr.) and other connected cases and the matters have been remanded to the High Court for a *de novo* consideration. As the relied upon judgment has been set aside by this Court and the matters have been remanded, we are of the

view that the present appeals also be disposed of in the same terms. Accordingly, we set aside the orders of the High court dated 19<sup>th</sup> March, 2010, 13<sup>th</sup> February, 2009 and 10<sup>th</sup> February, 2009 and remand the matter to the High Court for a fresh consideration. Naturally, it will be open for the claimants to agitate all points that may be open to them in law including the applicability and relevance of the order of the High Court dated 10<sup>th</sup> February, 2009 passed in R.F.A. No.1 of 2006 (State of Haryana and another Versus Jagbir Singh and others) to the present cases, a point which has been canvassed before us.

3. In view of the long efflux of time, we request the High Court to dispose of the cases as expeditiously as possible.

4. The appeals are disposed of in the above terms.

.....,J.  
(RANJAN GOGOI)

.....,J.  
(PRAFULLA C. PANT)

NEW DELHI  
FEBRUARY 17, 2016