

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)...../2009
(CC 4000/2009)

(From the judgement and order dated 11/08 / 2008 in CM W P No. 40410/2008
of The H I G H COU R T O F J U D I C A T U R E AT ALL A H A B A D)

AG R A JAL SANST H A N, A G R A Petitioner(s)

VE R S U S

RAG H U V I R S I N G H Respondent(s)

With I.A. 1(c/delay in filing SLP and c/delay in refiling SL P and
office report)

Date: 06/04 /2009 This Petition was called on for hearing today.

COR A M :

HON' B L E M R. JUST I C E M A R K A N D E Y K A T J U
HON' B L E M R. JUST I C E H.L. DATT U

For Petitioner(s) Mr. S.R. Singh, Sr. Adv.
Mr. Manoj Dwivedi, Adv.
Mr. Gunnam Venkateswara Rao,Adv.

For Respondent(s) Mr. Nagendra Singh, Adv.
Mr. Aslam Sammani, Adv.
Mr. Vishwa Pal Singh,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. No

order as to costs.

(Ajay Kr. Jain)
Court Master

(Indu Satija)
Court Master

(Signed order is placed on the file)
IN TH E SUP R E M E COU R T O F I N D I A
CIV I L AP P E L L A T E J U R I S D I C T I O N

CIV I L AP P E A L NO. 2324 OF 2009
AR I S I N G O U T O F
SP E C I A L LEA V E P E T I T I O N (C)NO. 8871 OF 2009
(C.C. No. 4000/2009)

Agra Jal Sansthan, Agra Appellant

Versus

Raghuvir Singh Respondent

O R D E R

Delay in filing the special leave petition is condoned.

Heard Mr. S.R. Singh, learned senior counsel appearing for the appellant and Mr. Nagendra Singh, learned counsel appearing for the sole respondent, present on caveat.

With the consent of learned counsel for the parties, we are disposing off this matter finally.

Leave granted.

By the impugned order, a learned Single Judge of the High Court of Judicature at Allahabad has dismissed the writ petition filed by the appellant on the ground that there was delay and laches of about 75 days in filing the writ petition.

On the facts and circumstances of the case, we are of the opinion that delay in filing the writ petition should have been condoned by the High Court. Accordingly, we set aside the impugned judgment and order and condone the delay of 75 days in filing the writ petition before the High Court. The writ petition shall stand restored on the file of the High Court, which shall now be decided on merits as expeditiously as possible.

The appeal is allowed. No order as to costs.

.....J.
(M A R K A N D E Y K A T J U)

.....J.
(H.L. DAT TU)

New Delhi
April 06, 2009