

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). 13217/2010
(Arising out of impugned final judgment and order dated 25/08/2009
in APO No. 135/2008 in WP No. 1982/2004 in APO No. 135/2008 in WP
No. 1982/2004 passed by the High Court Of Calcutta)

STATE OF WEST BENGAL & ORS.

Petitioner(s)

VERSUS

LAKHINDAR SAMADDAR & ORS.
(With interim relief and office report)

Respondent(s)

WITH
SLP(C) No. 13542/2010
(With Interim Relief and Office Report)

Date : 27/03/2015 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE RANJAN GOGOI
HON'BLE MR. JUSTICE N.V. RAMANA

For Petitioner(s) Mr. Anip Sachthey, Adv.
Ms. Shagun Matta, Adv.

For Respondent(s) Mrs Sarla Chandra, Adv. (NP)

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

Leave granted.
The appeals are allowed in terms of the signed
order.

(MADHU BALA)
COURT MASTER
(Signed order is placed on the file)

(ASHA SONI)
COURT MASTER

Signature Not Verified

Digitally signed by
Madhu Bala
Date: 2015.03.31
17:36:47 IST
Reason:

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.3234 OF 2015
(@ SPECIAL LEAVE PETITION (CIVIL) NO. 13217 OF 2010)

STATE OF WEST BENGAL & ORS.

...APPELLANT(S)

VERSUS

WITH

CIVIL APPEAL NO.3270 OF 2015
(@ SPECIAL LEAVE PETITION (CIVIL) NO. 13542

OF 2010)

O R D E R

Leave granted.

By the impugned order dated 25.08.2009, the Division Bench of the High Court in reversal of the view taken by the learned Single Judge has allowed the writ petitioners to withdraw from the writ petitions and to transpose the applicants seeking impleadment as the writ petitioners. Further more, the High Court has also directed issuance of notice in newspapers inviting participation of all persons interested in the writ proceedings in question.

...2/-

-2-

We do not think that the view taken by the Appellate Bench of the High Court is justified. We, therefore, set aside the order dated 25.08.2009 passed by the High Court of Calcutta in A.P.O.No. 135 of 2008 in W.P. No. 1982 of 2004 and A.P.O.No. 134 of 2008 in W.P. No. 2248 of 2004 and allow these appeals.

.....J
[RANJAN GOGOI]

NEW DELHI
27TH MARCH, 2015

.....J.
[N.V. RAMANA]