

ITEM NO.113

COURT NO.2

SECTION XIA

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(s). 2694-2695/2013

UNION OF INDIA & ORS.

Appellant(s)

VERSUS

T.P SOBHANA AND ORS  
(with office report for direction)

Respondent(s)

Date : 04/05/2016 These appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ANIL R. DAVE  
HON'BLE MR. JUSTICE ADARSH KUMAR GOEL

For Appellant(s)

Mr. A.K. Panda, Sr.Adv.  
Mr. Surender Kumar Gupta, Adv.  
Ms. Kiran Bhardwaj, Adv.  
Mr. S.N. Terdal, Adv.  
Mr. B. Krishna Prasad, Adv.

For Respondent(s)

Mr. Gulshan Sharma, Sr.Adv.  
Mr. Amit Sharma, Adv.  
Mr. Ishit Saharia, Adv.

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

The impugned judgment delivered by the High Court is set aside. The writ petition is restored to its original number.

These appeals are allowed with no order as to costs in terms of the signed non-reportable judgment.

The parties to the litigation shall appear before the High court on 4<sup>th</sup> July, 2016 so that the matter can be heard on merit.

Pending applications, if any, stand disposed of.

[SUKHBIR PAUL KAUR]  
A.R.-CUM-P.S.

[SNEH BALA MEHRA]  
ASSISTANT REGISTRAR

(Signed non reportable judgment is placed on the file)

NON-REPORTABLE

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS.2694-2695 OF 2013

UNION OF INDIA AND OTHERS

Appellant(s)

Versus

T.P. SOBHANA AND OTHERS

Respondent(s)

J U D G M E N T

ANIL R. DAVE, J.

1. We have heard the learned counsel for the parties.
2. When these matters were taken up for hearing for the first time, notice was issued in view of the fact that Civil Appeal No. 2532 of 2010, having similar facts had already been admitted.
3. It has been submitted by the learned counsel appearing for the appellants that Civil Appeal No. 2532 of 2010 and some other connected appeals have now been decided and the judgment has also been reported in

(2015) 8 SCC 512 titled as Union of India and others versus V.K. Krishnan and Others.

4. It has been submitted by the learned counsel appearing for the respondents that the facts of the case(s) referred to hereinabove are not exactly similar to the present appeals.

5. In view of the fact that Civil Appeal No. 2532 of 2010 has already been decided, we remit the matter to the High Court so that the High Court can examine the facts and take appropriate decision in accordance with law. It will be open to the parties to raise all contentions as may be permissible under law before the High Court.

6. The impugned judgment delivered by the High Court is set aside. The writ petition is restored to its original number.

7. The parties to the litigation shall appear before the High Court on 4<sup>th</sup> July, 2016 so that the matter can be heard on merit.

8. These appeals are, accordingly, allowed with no order as to costs.

.....J.  
(ANIL R. DAVE)

.....J.  
(ADARSH KUMAR GOEL)

New Delhi,  
May 04, 2016