
(2007) 10 SC CK 0032

In the Supreme Court Of India

Case No : Civil Appeal No. 4888 of 2007 (Arising out of SLP (C) No. 8177 of 2006)

Shyam Lal Suresh Kumar

APPELLANT

Vs

State of Haryana and Others

RESPONDENT

Date of Decision : 12-10-2007

Acts Referred:

Citation : (2008) 1 AWC 329 Supp : (2008) 149 PLR 262 : (2007) 12 SCALE 175 : (2007) 14 SCC 301

Hon'ble Judges : Tarun Chatterjee, J; Dalveer Bhandari, J

Bench : Division Bench

Advocate : Mahabir Singh, Rakesh Dahiya, Nikhil Jain, Ajay Pal, Gangadeep Sharma and Rameshwar Prasad Goyal, for the Appellant; Anupam Lal Das, for the Respondent

Final Decision : Disposed Of

Judgement

Tarun Chatterjee, J.—Leave granted.

2. This appeal is directed against the order dated 23rd of February, 2006, passed by a division bench of the High Court of Punjab and Haryana at Chandigarh in CWP No. 10407 of 2005. The impugned order runs as under:

We have heard the learned Counsel for the petitioner. The appeal was filed by the petitioner after a delay of five years and the writ petition has also been filed belatedly. The story put-forward by the petitioner that the order had not been conveyed to him etc. is clearly unbelievable. Dismissed.

3. On a careful reading of the impugned order, we find that the High Court while rejecting the writ petition had not applied its mind and also had not passed a speaking and reasoned order. That being the position, the impugned order is set aside and the appeal is remitted back to the High Court for fresh disposal for passing a speaking and reasoned order after giving hearing to the parties in accordance with law. The High Court is requested to decide the appeal now

remitted to it within three months from the date of supply of a copy of this order to it. The appeal is, therefore, allowed to the extent indicated above. There will be no order as to costs.