

**(2011) 02 SC CK 0129**

**In the Supreme Court Of India**

**Case No :** Civil Appeal No. 1610 of 2011 (Arising out of SLP (C) No"s. 18721-18722 and 18726 of 2010)

State of U.P. and Others

APPELLANT

Vs

Daljit Singh

RESPONDENT

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**Date of Decision :** 11-02-2011

**Acts Referred:**

**Citation :** (2011) 2 AWC 1899 : (2011) 6 JT 504

**Hon'ble Judges :** G. S. Singhvi, J;Asok Kumar Ganguly, J

**Bench :** Division Bench

**Advocate :** Ravi Prakash Mehrotra, Mukesh Verma and Vibhu Tiwari, for the Appellant; B.L. Chawla, Satyapal Khushal Chand Pasi and K.V. Mohan, for the Respondent

**Final Decision :** Dismissed

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## **Judgement**

1. Delay condoned.
2. Leave granted.
3. This appeal is directed against order dated 5.11.2007 passed by the learned Single Judge of the Allahabad High Court whereby he disposed of the writ petition filed by the Respondent by relying upon the judgment of that Court in Smt. Indira Devi Yadav Vs. The State of U.P. and Others,
4. We have heard learned Counsel for the parties and perused the record.
5. It is not in dispute that the judgment of the High Court in Indira Devi's case (supra) and other similar other matters were set aside by this Court in Civil Appeal No. 2161 of 2007-State of U.P. and Ors. v. Indira Devi and connected appeals decided on 21.10.2009.
6. In view of the above, this appeal is allowed, the impugned order is set aside and the case is remitted to the High Court for fresh disposal of the writ petition filed by the Respondent. The parties may, if so advised, file additional affidavits

along with relevant documents within a period of eight weeks from today.

7. Since the matter relates to recovery of the public dues, we consider it proper to request the High Court to make an endeavour to dispose of the writ petition, as early as possible, but latest within a maximum period of six months from the date of receipt/production of a copy of this order.