

ITEM NO.53

COURT NO.13

SECTION XI

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). 5718-5719/2014

(Arising out of impugned final judgment and order dated 20/03/2012 in CMWP No. 14646/1999 AND DATED 27/08/2012 in CMRA No. 119834/2012 passed by the High Court Of Judicature at Allahabad)

SARNAM SINGH

Petitioner(s)

VERSUS

KONCH SAHAKARI KRAY VIKRAY SAMITI

Respondent(s)

(with office report)

Date : 16/02/2015 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE VIKRAMAJIT SEN

HON'BLE MR. JUSTICE C. NAGAPPAN

For Petitioner(s) Mr. Aditi Mohan, Adv.  
Ms. Deepika Shori, Adv.  
Mr. T. Mahipal, Adv.

For Respondent(s) Mr. R.K. Gupta, Adv.  
Mr. S.K. Gupta, Adv.  
Mr. M.K. Gupta, Adv.  
Mr. B.P. Gupta, Adv.  
Mr. Shekhar Kumar, Adv.

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.

(NEELAM GULATI)  
COURT MASTER

(SAROJ SAINI )  
COURT MASTER

(Signed order is placed on the file)

IN THE SUPREME COURT OF INDIA  
CIVIL APPELATE JURISDICTION

CIVIL APPEAL NOS. OF 2014  
(Arising out of SLP(C ) Nos. 5718-5719 of 2014)

SARNAM SINGH

Petitioner(s)

VERSUS

KONCH SAHAKARI KRAY VIKRAY SAMITI

Respondent(s)

O R D E R

Leave granted.

Learned counsel for the respondent states that the Writ Petition had earlier been dismissed for default in 2007 by the High Court of Judicature at Allahabad. He contends that the Appellant ought to have been more diligent. The fact remains that the Appellant had engaged a counsel who had prayed for the matter to be passed over for a day but this request had not been granted. He further states that the Appellant should be burdened with cost because of negligence.

The Impugned Order is set aside subject to the payment of Rs.5,000/- as costs by the Appellant. The Appellant shall be present on the next date of hearing fixed by the High Court as per the List and shall not seek any adjournment.

The Appeals are allowed in these terms.

.....J  
(VIKRAMAJIT SEN)

.....J  
(C. NAGAPPAN)

NEW DELHI  
FEBRUARY 16, 2015