

| ITEM NO.104

COURT NO.6

SECTION XI

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

CIVIL APPEAL NO(s). 9242 OF 2003

STATE OF U.P.

Appellant (s)

VERSUS

RAJA JAGDISH PD.(DEAD)THROUGH LRS.& ORS.

Respondent(s)

Date: 27/08/2010 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MARKANDEY KATJU
HON'BLE MR. JUSTICE T.S. THAKUR

For Appellant(s) Mr. S.R.Singh, Sr. Adv.
Mr. T.N.Singh, Adv.for
Mr. Kamendra Mishra,Adv.

For Respondent(s) Mr. Shiva Pujan Singh ,Adv
Mr. Rakesh K. Sharma,Adv.(Not present)

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

The Appeal is allowed in terms of the signed order.
No order as to costs.

(Parveen Kr. Chawla)
Court Master

(Indu Satija)
Court Master

[signed order is placed on the file]
IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 9242 OF 2003

State of U.P.

..Appellant

versus

Raja Jagdish Pd. (D) through Lrs. & Ors.

..Respondents

O R D E R

Heard learned counsel for the parties.

This Appeal has been filed against the impugned
judgment and order dated 02nd February, 1996 passed by a

learned Single Judge of the High Court of Judicature at Allahabad, Lucknow Bench, Lucknow in Writ Petition No. 418 of 1992, which reads as follows:

"Heard learned counsel for the petitioner. I
find no merit in this writ petition which is
accordingly dismissed."

A bare perusal of the aforesaid impugned order shows that no reasons have been given for dismissal of the writ petition.

It has been held by this Court in the case of Arun Mohadeorao Danuka vs. Addl. Inspector General of Police & Others AIR 1986 SC 1497 that reasons have to be given by the High Court while dismissing a writ petition.

Hence, we allow this appeal, set aside the impugned order of the Single Judge of the High Court and remand the

CIVIL APPEAL NO(s). 9242 OF 2003

-2-

matter to the High Court to decide it afresh after giving reasons in accordance with law and after hearing the parties concerned. No order as to costs.

.....J.
[MARKANDEY KATJU]

NEW DELHI;
AUGUST 27, 2010

.....J.
[T.S. THAKUR]