

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 224-226 of 2017  
(@ Special Leave Petition (C) Nos. 32736-32738/2015)

MAYABHAI MOHANLAL DECEASED THR. HEIRS AND ORS. Appellant(s)

VERSUS

STATE OF GUJARAT AND ORS. Respondent(s)

O R D E R

Leave granted.

We have heard learned counsel for the parties.

In view of the decision rendered by this Court in *Jogendrasinhji Vijay Singhji v. State of Gujarat & Ors.* [(2015)9 SCC 1], the Letters Patent Appeal filed by the petitioners could not have been dismissed only on the ground that the Tribunal was not made a party.

That being the position, we allow the appeals and set aside the impugned order passed by the High Court and remand the matters back to the Division Bench of the High Court to consider whether the LPA itself is maintainable and if it is maintainable to take a decision on the merits of the case.

.....J.  
(MADAN B. LOKUR)

.....J.  
(PRAFULLA C. PANT)

NEW DELHI;  
JANUARY 09, 2017.

