

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(S).1404 OF 2020
(Arising from SLP (C) No(s). 856/2010)

STATE OF RAJASTHAN

APPELLANT(S)

VERSUS

HARI SINGH

RESPONDENT(S)

O R D E R

1. None appears for the respondent.
2. Leave granted.
3. These appeal(s) take exception to the judgment and order dated 17.12.2008 passed by the High Court of Judicature for Rajasthan at Jaipur in D.B. Civil Restoration No.332/2006 in D.B. Civil Special Appeal (Writ) No.06/2000 thereby dismissing the appeal filed by the appellant. The appeal came to be dismissed in terms of order dated 02.06.2005 for non-prosecution, in light of order dated 11.04.2005.
4. The appellant had moved an application for restoration of the appeal which, however, has been rejected vide impugned order on 17.12.2008.
5. In the peculiar facts of the present case, we deem it appropriate to set aside the

order dismissing the Civil Special Appeal (Writ) No.06/2000 vide order dated 02.06.2005 for non-prosecution and also the subsequent order dated 17.12.2008. Instead, we restore D.B. Civil Special Appeal (Writ) No.06/2000 to the file of the High Court to its original number, to be considered and decided on its own merits in accordance with law.

6. The appeal(s) and pending application(s) shall stand disposed of.

....., J.
(A.M. KHANWILKAR)

....., J.
(DINESH MAHESHWARI)

NEW DELHI
FEBRUARY 10, 2020

ITEM NO.41

COURT NO.7

SECTION XV

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). 856/2010

(Arising out of impugned final judgment and order dated 17-12-2008 in DBCRA No. 332/2006 17-12-2008 in DBCRA No. 6/2000 passed by the High Court Of Judicature For Rajasthan At Jaipur)

STATE OF RAJASTHAN

Petitioner(s)

VERSUS

HARI SINGH

Respondent(s)

Date : 10-02-2020 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.M. KHANWILKAR
HON'BLE MR. JUSTICE DINESH MAHESHWARI

For Petitioner(s) *Dr. Manish Singhvi, Sr. Adv.
Mr. Milind Kumar, AOR

For Respondent(s) Mr. Shree Pal Singh, AOR (NP)

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

None appears for the respondent.

Leave granted.

The appeal(s) and pending application(s)
shall stand disposed of in terms of the signed
order.

(NEETU KHAJURIA)
COURT MASTER

(VIDYA NEGI)
COURT MASTER

(Signed order is placed on the file.)

*Appearance slip not given.