

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 16989 of 2017

(Arising out of SLP (C)No.30654 of 2012)

THE STATE OF PUNJAB & ORS.

Appellant(s)

VERSUS

KALLU DIN & ORS.

Respondent(s)

O R D E R

Leave granted.

We have heard learned counsel for the parties and perused the record.

The issue in question is as to who has the right and title to the property in question. The Courts below have held in favour of the respondents and granted permanent injunction.

Our attention has been drawn to a judgment of the Division Bench of the High Court dated 22nd February, 1994 in C.W.P. NO.7381 of 1993 - Shah Din & Others Vs. Union of India & Ors. in regard to the very same property. The said Judgment does not appear to have been referred to by the courts below. Accordingly we set aside the impugned order and remand the matter to the trial court for fresh decision in accordance with law after referring to the said judgment.

The parties are directed to appear for further proceedings before the trial court on Monday, the 20th November, 2017.

Until the matter comes up before the trial court, status quo be maintained by the parties.

The appeal is accordingly disposed of.

.....J.
(ADARSH KUMAR GOEL)

.....J.
(UDAY UMESH LALIT)

New Delhi,
October 24, 2017.

ITEM NO.19

COURT NO.11

SECTION IV-B

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). 30654/2012

(Arising out of impugned final judgment and order dated 20-01-2010 in RSA No. 2461/2006 passed by the High Court Of Punjab & Haryana At Chandigarh)

THE STATE OF PUNJAB & ORS.

Petitioner(s)

VERSUS

KALLU DIN & ORS.

Respondent(s)

Date : 24-10-2017 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ADARSH KUMAR GOEL
HON'BLE MR. JUSTICE UDAY UMESH LALIT

For Petitioner(s) Mr. Karan Bharihoke, Adv.
Mr. Kuldip Singh, AOR

For Respondent(s) Mr. Salman Khurshid, Sr. Adv.
Mr. Imtiaz Ahmed, Adv.
Ms. Naghma Imtiaz, Adv.
Mr. Ahmed Zargham, Adv.
Ms. Amra Moosavi, Adv.
For Equity Lex Associates

UPON hearing the counsel the Court made the following
ORDER

Leave granted.

In terms of the signed order, the appeal is disposed of.

Pending applications, if any, shall also stand disposed
of.

(MAHABIR SINGH)
COURT MASTER

(PARVEEN KUMARI PASRICHA)
COURT MASTER

(Signed order is placed on the file)