

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 5798 of 2017

(Arising out of SLP(C)No.3741 of 2016)

STATE OF BIHAR AND ORS

Appellant(s)

VERSUS

DR. SHIVA NARAYAN SINGH AND ANR

Respondent(s)

O R D E R

Leave granted.

Heard learned counsel for the parties.

We are of the view that the Division Bench of the High Court was in error in not condoning the delay in filing the appeal before it. The said delay will stand condoned.

The impugned order is set aside and the matter is remanded to the High Court for decision on merits in accordance with law. Until the matter comes up before the Division Bench the order passed by learned Single Judge of the High Court will remain stayed.

The appeal is disposed of accordingly.

The parties are directed to appear before the High Court for further proceedings on Monday, the 17th July, 2017.

Contd.....2/-

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

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

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

New Delhi,
May 1, 2017.

ITEM NO.63

COURT NO.13

SECTION XVI

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). 3741/2016

(Arising out of impugned final judgment and order dated 01/12/2015
in LPA No. 1373/2015 passed by the High Court Of Patna)

STATE OF BIHAR AND ORS

Petitioner(s)

VERSUS

DR. SHIVA NARAYAN SINGH AND ANR

Respondent(s)

(With appln. (s) for exemption from filing O.T. and interim relief
and office report)

Date : 01/05/2017 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. Samir Ali Khan,Adv.

For Respondent(s) Mr. Jay Savla,Adv.
Mr. Prabhat Chaurasia,Adv.
Mr. Bharat Aggarwal,Adv.Ms. Abha R. Sharma,Adv.
Mr. Dharendra Singh Parmar,Adv.
Mr. Sushil Tomar,Adv.
Ms. Kavitha Sharma,Adv.UPON hearing the counsel the Court made the following
O R D E R

Leave granted.

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

(MAHABIR SINGH)
COURT MASTER(VEENA KHERA)
COURT MASTER

(Signed order is placed on the file)