

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.1667 OF 2019
(@ OUT OF SPECIAL LEAVE PETITION (CIVIL) NO.4870/2019
(Diary No(s). 43307/2018)

ESTATE OFFICER EXCISE AREA & ORS.

Appellant(s)

Versus

KULBHUSHAN WINDLAS & ORS.

Respondent(s)

O R D E R

Delay condoned.

Leave granted.

Application for substitution is allowed.

We have heard learned counsel for the parties.

In our view, considering the nature of controversy, the matter was eminently fit to be decided on merits. We, therefore, not only condone the delay in filing Special Leave Petition but also condone the delay in filing RSA No.846/2013 before the High Court. We, therefore, set aside the dismissal of Second Appeal on the ground of delay, restore the second second appeal on the file of the High Court and request the High Court to dispose of the second appeal as expeditiously as possible.

By Order dated 03.01.2019, we had directed the appellants

to deposit a sum of Rs.1,50,000/- in this Court towards costs. Half of that amount be made over to the Supreme Court Advocates-on-Record Welfare Fund account and rest be deposited in Supreme Court Employees' Welfare Fund account.

With these observations, the appeal is disposed of.

We have not and shall not be taken to have expressed any opinion on merits of the case.

Pending applications, if any, also stand disposed of.

..... J.
[UDAY UMESH LALIT]

..... J.
[INDU MALHOTRA]

New Delhi,
February 14, 2019

ITEM NO.7

COURT NO.9

SECTION IV-B

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

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 43307/2018

(Arising out of impugned final judgment and order dated 29-01-2014 in RSA No. 846/2013 passed by the High Court Of Punjab & Haryana At Chandigarh)

ESTATE OFFICER EXCISE AREA & ORS.

Petitioner(s)

VERSUS

KULBHUSHAN WINDLAS & ORS.

Respondent(s)

(IA No.178942/2018-CONDONATION OF DELAY IN FILING & APPL. FOR SUBSTITUTION)

Date : 14-02-2019 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE UDAY UMESH LALIT

HON'BLE MS. JUSTICE INDU MALHOTRA

For Petitioner(s) Mr. Anil Grover, AAG
Mr. Satish Kumar, Adv.
Ms. Ritu Rastogi, Adv.
Ms. Sasmita Tripathy, Adv.
Mr. Sanjay Kumar Visen, AOR

For Respondent(s) Mr. Neeraj Kr. Jain, Sr. Adv.
Mr. Aniket Jain, Adv.
Mr. Siddharth Jain, Adv.
Mr. U.S. Prasad, Adv.
Mr. Umang Shankar, AOR

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

Delay condoned. Abatement, if any, is set aside.

Leave granted.

Application for substitution is allowed.

Appeal is disposed of in terms of the signed order.

Pending applications, if any, also stand disposed
of.

(INDU MARWAH)
COURT MASTER

(SUMAN JAIN)
BRANCH OFFICER

(signed order is placed on the file)