

Hari Singh and Others

Vs

State of Punjab and Others

Civil Appeal No. 1250 of 1981

(CJI Y.V. Chandrachud, V.B. Eradi JJ)

03.04.1981

ORDER

1. Heard counsel. Special leave granted.
2. The Order passed by the High Court in Civil Writ No. 2561 of 1979, against which this special leave petition is filed reads thus : "Same order as in Civil Writ No. 2564 of 1979". The Order passed by the High Court in Civil Writ No. 2564 of 1979 reads : "The petition is highly belated, dismissed".
3. Having heard learned counsel for the parties, we are unable to appreciate how the petition filed by the appellants could be said to have been "highly belated". We are of the opinion that the High Court should have entertained the petition on merits and should have heard the parties on the points arising in the case. Accordingly, we set aside the Order passed by the High Court on September 11, 1979 and remit the writ petition back to it for disposal in accordance with law, on the merits of the case.
4. There will be no order as to costs.

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