

SUPREME COURT OF INDIA

Naubat Ram Sharma

Vs.

Additional District Judge II, Moradabad

C.A.No.2570 of 1986

(Sabyasachi Mukharji and K. N. Singh, JJ.)

31.07.1986

ORDER:-

1. Special leave granted

2. Heard both the parties. Mr. S. N. Kacker appearing on behalf of the respondents makes concession that the matter may be heard on merits by the High Court and his client will not take any point before the High Court or this Court that appellants are not entitled to be heard on merits in view of the Full Bench judgment of the High Court of Allahabad. In that view, we set aside the judgment and order of the High Court dated 16th July" 1986 and remand the matter back to the High Court to be heard on merits. We are not expressing any opinion on the correctness or otherwise of the High Court's judgment. Since the matter is pending for a long time, it is desirable that it should be heard and disposed of as expeditiously as possible, and if possible within six months from date. Until the High Court hears the matter or passes any order, status quo will be maintained. The appeal is accordingly disposed of.

Order accordingly.