

Municipal Corporation of Delhi

Vs

Gobind Ram, Kahan Chand and Another

Civil Appeal No. 5266 of 1992

(J. S. Verma, N. P. Singh, B. N. Kirpal JJ)

14.02.1996

ORDER

1. This appeal by special leave is against the dismissal in limine of CWP No. 972 of 1984 by the High Court. The dismissal is only by one word - "dismissed". In a matter of this kind where certain points arise for consideration for deciding the controversy on merits, it was appropriate that the High Court should have considered the same and given reasons for the view it took thereon. We do not have the benefit of such an order by the High Court since the dismissal of the writ petition by the High Court is without even mentioning the points which arise for decision and the reasons for the High Court's conclusion thereon.

2. The appeal is allowed. The matter is remanded to the High Court for deciding the writ petition afresh in accordance with law with advertence to the above observations after hearing the parties.