

**SUPREME COURT OF INDIA**

Biju P.Thomas

Vs.

Chakkappan

C.A.No.2340 of 2007

(B.N. Agrawal and G.S. Singhvi JJ.)

09.05.2008

**ORDER**

1. Heard learned counsel for the parties.
2. Delay condoned.
3. The civil appeal is admitted.
4. In our view, the notice was not served upon the appellant; as such, on this ground alone, the impugned orders are fit to be set aside.
5. Accordingly, the appeal is allowed, impugned orders are set aside and the matter is remitted to the Disciplinary Committee of Bar Council of India for deciding the same on merits after giving opportunity of hearing to the parties, including the appellant. Fresh notice is not required to be issued to the parties as both the parties shall appear before the Disciplinary Committee by filing vakalatnama within four weeks from today.