

NON REPORTABLEIN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTIONCIVIL APPEAL NO. 8342 OF 2016
(Arising out of SLP(Civil) No. 28249/2014)

SOUREN PAL AND ORS

Appellants(s)

VERSUS

PRABHAT BOURI AND ORS

Respondent(s)

J U D G M E N TKurian, J.

Leave granted.

The main grievance of the appellants is that they were not heard by the Division Bench while passing the impugned order despite the fact that, as per the impugned order, they have been unseated from the post of Directors, to which they were elected in the year 2014. In the view we propose to take in this case, it is not necessary to go into any other factual dispute.

Having heard the learned counsel for the parties, we are of the view that the Division Bench ought to have heard the appellants as well, having regard to the stage at which their election was set aside.

We hence set aside the impugned judgment and remit the matter to the High Court. The appellants shall stand impleaded as additional respondents in First Miscellaneous Appeal(FMA) and the High Court will hear the FMA afresh. Being an election dispute of

the year 2014, we request the High Court to dispose of the same expeditiously preferably within a period of three months.

The interim order passed by this Court earlier will continue till the First Miscellaneous Appeal is disposed of.

The appeal stands disposed of accordingly.

.....J.
(KURIAN JOSEPH)

.....J.
(ROHINTON FALI NARIMAN)

NEW DELHI
AUGUST 26, 2016.



JUDGMENT