

**Javed Anwar and anr. Vs. the Union of India and ors.**

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**Court :** Madhya Pradesh

**Decided On :** Aug-20-2013

**Appellant :** Javed Anwar and anr.

**Respondent :** The Union of India and ors.

**Advocate for Def. :** Shri. Vikram Singh

**Judgement :**

1 Writ Petition No.28791 of 2003 HIGH COURT OF MADHYA PRADESH JABALPUR SINGLE BENCH: Honble Shri Justice A.K.Shrivastava Writ Petition No.28791 of 2003 PETITIONER:

1.

Javed Anwar S/o Anwar Ahmed, aged about 32 yeaRs.R/o Bungalow no.2, Beach Avenue Road, Jabalpur Cantt.

2. Smt.

Najma Bi W/o Abdul Salam, aged about 30 yeaRs.R/o Part of bungalow no.2, Beach Avenue, Cantt.

Jabalpur Versus RESPONDENTS:

1.

Union of India, Ministry of Defence, Raksha Bhavan, New Delhi 2.

Defence Estate Officer, Office of the Estate Defence, Near Kalpana Talkies, Cantt, Jabalpur \_\_\_\_\_ Shri  
Girish Shrivastava, for the petitioner.

Shri Vikram Singh, learned counsel for the respondent No.1 and 2.

## ORDER

(20.08.2013) For the reasons stated in the order passed today in W.P.No.2311/2004 (MRS.Brena Fernandez and another vs Union of India 2 Writ Petition No.28791 of 2003 and others).this petition succeeds and is hereby allowed.

The impugned order dated 7.10.2002 (Annexure P/8) and order dated 9.10.2002 (Annexure P/9) passed by respondent No.2 are set aside and the case is sent back to respondent No.2 who shall provide copy of the document of old Grant terms to the petitioners so as to enable them to file the reply.

On providing copy of that document, the petitioners shall file reply of show cause notice and thereafter the matter may be adjudicated after providing opportunity to lead evidence to the department firstly and then to the petitioners. Needless to say that for the date of hearing, a fresh notice shall be issued to the petitioners. (A.K. Shrivastava) Judge 20.08.2013 DV

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