

We have heard learned counsel for the parties. In view of the categorical averments contained in the affidavit of Shri Prashant Chaudhary, Advocate that he did not give consent for recall of order dated 20.2.2007, we consider it appropriate to remit the matter to the High Court for fresh disposal of the recall application.

Accordingly, the appeal is allowed, impugned order is set aside and the matter is remitted to the High Court for disposal of the recall application on merits after giving opportunity of hearing to the parties.

The High Court is requested to dispose of the recall application within a period of four months from the date of receipt/production of copy of this order.

New Delhi,
April 13, 2009.

