

S U P R E M E C O U R T O F I N D I A

RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil)...../2006

CC 2580/2006

(From the judgement and order dated 31/07/2000 in WP No. 1256/1999 of
The HIGH COURT OF M.P AT INDORE)

MEMBER SECY, STATE L.C.&MD, MP.U.V.N.L&ORS

Petitioner(s)

VERSUS

ARONI CHEMICALS

Respondent(s)

With I.A.1 (c/delay in filing SLP and office report)

WITH

S.L.P.(C)...CC NO. 2826 of 2006

With I.A.1 (c/delay in filing SLP and office report)

S.L.P.(C)...CC NO. 2829 of 2006

With I.A.1 (c/delay in filing SLP and office report)

S.L.P.(C)...CC NO. 2857 of 2006

With I.A.1 (c/delay in filing SLP and office report)

Date: 12/05/2006 This Petition was called on for hearing today.

CORAM :

HON'BLE Dr. JUSTICE AR. LAKSHMANAN

HON'BLE MR. JUSTICE DALVEER BHANDARI

For Petitioner(s)

Mr. Ajay Misra, Sr. Adv.

Mr. B.K.Satiya, Adv.

For Respondent(s)

Mr. S.K. Dubey, Sr. Adv.

Mr. Chandra Mohan Anisetty, Adv.

Mr. Niraj Sharma, Adv.

Mr. Vikrant Singh Bais, Adv.

Mr. A. Dagaonkar, Adv.

UPON hearing counsel the Court made the following

O R D E R

Delay condoned.

These four special leave petitions have been filed against the judgment and order of the Madhya Pradesh High Court. The respective Letters Patent Appeal preferred by the petitioners herein before the High Court was dismissed as not maintainable in view of the judgment of this Court reported in Jamshed N. Guzdar vs. State of Maharashtra, JT 2005 (1) SLP(C) No. 370, which upheld the validity of Madhya Pradesh

::2::

Uchacha Nyayalaya (Letters Patent Appeal Samapti) Adhiniyam, 1981.

As a result, the LPA was dismissed by the High Court as not maintainable.

However, the High Court reserved the liberty to approach the High Court

and seek restoration of the LPA if the State repeals the Madhya Pradesh

Uchcha Nyayalaya (Letters Patent Appeal Samapti) Adhiniyam, 1981 and

restores the provisions for Letters Patent Appeal retrospectively.

At the time of hearing, a xerox copy of the M.P. Act no.14 of 2006 is placed before us. The said Act deemed to have come into force on

1st July, 1981. Section 4 of the said Act says that Madhya Pradesh Uchcha

Nyayalaya (Letters Patent Appeal Samapti) Adhiniyam, 1981 (No.29 of

1981) was repealed. In view of Section 4 of the Act no.14 of 2006,
we

permit the petitioners herein to withdraw their respective SLPs with
liberty to approach the High Court for restoration of their LPA to its
original number. On such restoration, we request the High Court to
dispose of the same on merits and in accordance with law.

We set aside the orders passed by the High Court in LPA
No.317/2000 (@ W.P.No.1256/1999) dated 6.9.2005, in LPA No.316/2000
(@ W.P. No.718/2000) dated 6.9.2005, in LPA No.308/2000 (@ W.P.
No.932/1999) dated 6.9.2005 and in LPA No.43/2003 (@ W.P. No.153/2002)
dated 7.9.2005 and restore the same to file.

The special leave petitions are disposed of accordingly.

(A.D. Sharma)
Court Master

(Phoolan Wati Arora)
Court Master