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W.P(C)No. 71 OF 1999

.UP 10 2; Draft, smtst; -n -PA4 -dFX-NORMAL -y -e; dumbp

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ITEM NO.104 COURT NO. 2 SECTION PIL

SUPREME COURT OF INDIA  
RECORD OF PROCEEDINGS

WRIT PETITION(C)NO.71 OF 1999@@  
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Research Foundation For S.T. ... Appellant (s)  
& Ecology

Vs.

U.O.I. & Ors. ... Respondent (s)

( With appln. for directions & stay & exemption from filing  
OT )

Date: 12/11/2002 This/These matter(s) was/were called  
on for hearing today.

CORAM :

HON'BLE MR. JUSTICE V.N. KHARE  
HON'BLE MR. JUSTICE ASHOK BHAN

For appellant (s) Mr. Prashant Bhushan,Adv.  
Mr. Sanjeev Kapoor,Adv.  
Mr. Vishal Gupta,Adv.  
Mr. Narendra Verma,Adv.  
Mr. Anil Kr. Mittal,Adv.  
Mr. Navin T.K.,Adv.

For respondent (s) Mr. PP. Malhotra,Sr.Adv.  
UOI Mr. Sanjay R. Hegde,Adv.  
Mr. S.N. Terdol,Adv.

For Respondents 2 & 3 Mr. KK. Venugopal,Sr.Adv.  
Mr. Gopal Subramaniam,Sr.Adv.  
Mr. Subramonium Prasad,Adv.  
Mr. Prashant Pakhidey,Adv.  
Mr. Abhay Kumar,adv.  
Mr. R. Gopal Krishan,Adv.

Mrs. Revathy Raghavan,Adv. (NP)

UPON hearing counsel, the Court made the following  
O R D E R

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The petitioner by the instant I.A. seeks  
amendment to the writ petition by challenging the letter  
dated 5.4.2002 sent by the Additional Secretary, Genetic

...2/-

Engineering Approval Committee to the Managing Director, Maharashtra Hybrid Seed Company Ltd. The amendment application is opposed by the respondents. Learned counsel appearing for the respondents urged that if the petitioner is aggrieved, he has a remedy by preferring an appeal under Rule 19 of the Rules for the Manufacture, Use, Import, Export and Storage of Hazardous Micro Organisms Genetically Engineered Organisms or Cells. This is not disputed by the counsel for the petitioner. Under such circumstances, we decline to allow the amendment application. Mr. KK. Venugopal, learned senior counsel stated that in case the petitioner files an appeal before the Appellate Authority, the respondents would not raise any objection as regards the delay in filing the appeal or maintainability of the appeal. In that view of the matter, we direct that in case the petitioner files an appeal within four weeks, the Appellate Authority shall entertain and decide the same on merits.

Till the matter is decided by the Appellate Authority, the hearing of this petition shall stand adjourned.

.SP1

(Neelam Kawatra)  
A.R.-cum-P.S.

(S.L. Goyal)  
Assistant Registrar