

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) No(s).5637/2006

(From the judgement and order dated 11/10/2004 in SCA No.2568/2004
of The HIGH COURT OF GUJARAT AT AHMEDABAD)

CENTRAL TALKIES & ANR.

Petitioner(s)

VERSUS

STATE OF GUJARAT & ORS.

Respondent(s)

(With appln(s) for exemption from filing O.T., permission to submit additional
document(s), prayer for interim relief and office report)

With S.L.P. (C) No.5638 of 2006

(With appln(s) for permission to submit additional document(s),
exemption from filing O.T., prayer for interim relief and office report)

Date: 05/04/2007 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.N. AGRAWAL

HON'BLE MR. JUSTICE P.P. NAOLEKAR

For Petitioner(s) Mr. Vijay Kumar,Adv.

Mr. Vishwajit Singh,Adv.

For Respondent(s) Mr. R.P. Bhatt,Sr.Adv.

Ms. Hemantika Wahi,Adv.

Ms. Pinky Behera, Adv.

UPON hearing counsel the Court made the following

O R D E R

Heard learned counsel for the parties.

Exemption allowed.

Permission to file additional documents is granted.

Leave granted.

The civil appeals are allowed.

No costs.

[T.I. Rajput]

[Khushi Ram]

A.R.-cum-P.S.

Court Master

[Signed order is placed on the file]

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 1826 OF 2007

(Arising out of S.L.P. (C) No.5637 of 2006)

Central Talkies and Anr.

...Appellant(s)

Versus

State of Gujarat and Ors.

...Respondent(s)

WITH

CIVIL APPEAL NO. 1828 OF 2007
(Arising out of S.L.P. (C) No.5638 of 2006)

O R D E R

Heard learned counsel for the parties.

Leave granted.

In our view, the High Court was not justified by the impugned order in dismissing the writ petitions for non-compliance of the directions in the interim order. The interim order stood vacated and the High Court was obliged to dispose of the writ petitions on merits in accordance with law. Accordingly, the impugned order is set aside and the writ petitions are remitted to the High Court to dispose of the petitions afresh on merits in accordance with law after giving opportunity of hearing to the parties.

The civil appeals are, accordingly, allowed.

No costs.

.....J.

[B.N. AGRAWAL]

.....J.

[P.P. NAOLEKAR]

New Delhi,
April 05, 2007.