

:

ITEM NO.23

COURT NO.5

SECTION IX

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).12580/2013
(From the judgement and order dated 29/11/2012 in CP No.205/1996,CA
No.286/1999,CA No.166/2006,OJA No.9/2009 of the HIGH COURT OF GUJARAT AT
AHMEDABAD)

M.VISVESVARAYA INDUSTRIAL RESEARCH&DEV. Petitioner(s)

VERSUS

STATE OF GUJARAT & ORS. Respondent(s)
(With prayer for interim relief)

Date: 09/05/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE H.L. DATTU
HON'BLE MR. JUSTICE JAGDISH SINGH KHEHAR

For Petitioner(s) Mr.Harish Salve, Sr.Adv.
Mr.Damodar Desai, Adv.
Ms.Ramni Taneja, Adv.
Mr. Anil Shrivastav,Adv.

For Respondent(s) Mr.Sanjay R.Hegde, Adv.
Mr.S.Nithin, Adv.
Mr. Anil Kumar Mishra-I,Adv.
Mr.Mukund M.Nagarka, Adv.

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

After going through the impugned judgment and order passed by the High Court, we are of the opinion that before passing the impugned judgment the High Court ought to have granted opportunity of hearing to the petitioner.

Accordingly, we remand the matter back to the High Court with a request to grant an opportunity of hearing to the petitioner-herein before deciding the appeal in accordance with law.

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The High Court is further requested to decide the matter afresh, without being influenced by any one of the observations made by it in the impugned order.

Ordered accordingly.

(G.V.Ramana)
Court Master

(Vinod Kulvi)
Asstt.Registrar