

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)...../2010
CC 5207/2010

(From the judgement and order dated 23/07/2009 in WA No. 10190/2009
of The HIGH COURT OF KARNATAKA AT BANGALORE)

RAM GOPAL Petitioner(s)
VERSUS
PRINCIPAL SEC.& ANR. Respondent(s)

IA NO.1(c/delay in filing SLP)

Date: 12/04/2010 This Petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE G.S. SINGHVI
HON'BLE MR. JUSTICE ASOK KUMAR GANGULY

For Petitioner(s) Mr. Akshat Shrivastava, Adv.
Mr. P.P. Singh, Adv.
Mr. Inderjeet Yadav, Adv.

For Respondent(s)

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

Delay condoned.

After having heard the learned counsel for the petitioner and perused the record, we are convinced that the impugned order passed by the High Court declining the petitioner's prayer for issue of mandamus to the respondents to pay interest on the amount of bank guarantee does not suffer from any legal infirmity.

We are further of the view that the writ petition filed by the petitioner was not maintainable because the State of Karnataka was not impleaded as one of the respondents. The High Court would have been justified in refusing to entertain the writ petition and writ appeal filed by the petitioner in view of the law laid down by this Court in Ranjeet Mal versus General Manager, Northern Railway and another AIR 1977 SC 1701.

The special leave petition is dismissed.

(A.D. Sharma)
Court Master

(Phoolan Wati Arora)
Court Master