

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).5879/2006

(From the judgement and order dated 21/03/2006 in WP No. 229/2006 of The HIGH COURT OF H.P AT SHIMLA)

DAMODAR ROPEWAYS & CONSTRUCTION P.LTD.

Petitioner(s)

VERSUS

STATE OF HIMACHAL PRADESH &ORS.

Respondent(s)

(With appln(s) for exemption from filing c/c of the impugned Judgment and prayer for interim relief )

Date: 21/04/2006 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ASHOK BHAN

HON'BLE MR. JUSTICE LOKESHWAR SINGH PANTA

For Petitioner(s)

Mr. K.V. Vishwanathan, Adv.

Mr.A. Agarwalla, Adv.

Mr. V.N. Raghupathy,Adv.

For Respondent(s)

Mr.R.F. Nariman, Sr. Adv.

Mr.Arun Kathpalia, Adv.

Mr. Vivek Malik, Adv.

Mr. Pradeep Kumar Bakshi,Adv.

UPON hearing counsel the Court made the following

O R D E R

The petitioner (the writ-petitioner before the High Court) filed a writ petition

in the High Court, which came up for hearing on 21st of March, 2006. While

summoning the record and directing the case to be listed on 17th of April, 2006,

the High Court declined to grant interim stay.

Aggrieved against the aforesaid order, the present petition has been filed

When this petition came up for hearing on 10th April, 2006, keeping in view the

fact that the present petition was directed against an interim order of adjournment,

this Court declined to pass any orders at this stage. But, on the apprehension

expressed by the counsel appearing for the petitioner that the case may not be

taken up for hearing by the High Court on 17th of April, 2006, we requested the

High Court to take up the matter on the adjourned date of hearing, i.e., 17th April,

2006 and pass appropriate orders thereon in accordance with law.

Learned counsel appearing for the respondents has produced a copy of the

Order indicating that the case was taken up by the High Court on 18th April, 2006,

parties had put in their appearance and, on a request made on behalf of the

respondents herein, the case was adjourned for today.

Counsel for the parties state that the writ petition would be taken up for

preliminary hearing by the High Court today at 2 p.m.. Counsel for the

respondents assures us that there would be no request for adjournment on their

behalf.

In view of this, the petition has become infructuous. We decline to

interfere with the impugned order. The special leave petition is dismissed

accordingly.

(J.S. Rawat)

AR-cum-PS

(Kanwal Singh)

Court Master