\234ITEM NO.35 COURT NO.7 SECTION XIIA

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).9104/2009

(From the judgement and order dated 28/11/2008 in CMA No. 641/2006
of the HIGH COURT OF A.P AT HYDERABAD)

B.S.N.L.& ORS. Petitioner(s)

VERSUS

M/S ARM LIMITED & ANOTHER Respondent(s)

(With appln(s) for permission to file synopsis and list of dates and prayer for
interim relief)

Date: 24/04/2009 This Petition was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE R.V. RAVEENDRAN
HON'BLE MR. JUSTICE J.M. PANCHAL

For Petitioner(s) Mr. Yasobant Das, Sr. Adv.
Mr. Sukumar Pattjoshi, Adv.
Mr. Rakesh Kumar Singh, Adv.
Mr. Sudarsh Menon,Adv.

For Respondent(s) Mr. P.S. Narasimha, Sr. Adv.
Mr. Satya Singh Chaudhuri, Adv.
Ms. Megha Sen, Adv.
Mr. Jagjit Singh Chhabra,Adv.

UPON hearing counsel the Court made the following
ORDER

The impugned order states that neither side had canvassed the factual side of the case and had restricted the arguments only in regard to interest. The High Court has, therefore, stated that it is not examining the matter on merits.

Learned counsel for the petitioner submits that this statement is factually incorrect and the petitioner had made submissions on merits also. In support of it, he relies on the written note submitted before the High Court. If that

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is so, the proper course for the petitioner is to move the High Court for appropriate correction of that part of the order and consideration of the matter on merits also.

To enable the petitioner to do so, we adjourn this matter by three months.

(Ravi P. Verma) (M.S. Negi)

Court Master

Court Master