

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).11996/2007

(From the judgement and order dated 25/01/2007 in RFA No. 33/1999 of the HIGH COURT OF DELHI AT NEW DELHI)

INTERNATIONAL DEV. RESEARCH CENTRE

Petitioner(s)

VERSUS

DURGESWARI SAHI

Respondent(s)

(With prayer for interim relief)

Date: 30/07/2007 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.B. SINHA

HON'BLE MR. JUSTICE H.S. BEDI

For Petitioner(s) Mrs. Sona Khan,Adv.
Mr. Sumant Khan,Adv.
Mr. P.N. Puri,Adv.
Mr. Dhiraj,Adv.
Ms. Smriti Puri,Adv.

For Respondent(s)

UPON hearing counsel the Court made the following
ORDER

The question as to whether the petitioner is a sovereign State within the meaning of Section 86 of the Code of Civil Procedure is the subject matter of this special leave petition which arises out of a judgment and order dated 25.1.2007 passed

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by a Division Bench of the Delhi High Court. Learned counsel appearing on behalf of the petitioner very fairly states that the contractual obligations have been met and

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petitioner does not have any grievance in relation thereto. It is however contended that having regard to the fact that the petitioner was created by a statute of Canadian

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Parliament for the purpose of initiating, encouraging, supporting and conducting research into the problems of the

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developing regions of the world and furthermore having regard to the fact that an agreement had been entered into in that behalf by and between the petitioner and the Government of India, it should have been considered to be a State. As the mutual contractual obligations of the parties hereto are said to have been worked out, we are of the opinion that the said question need not be determined in this petition. The special leave petition is dismissed. We, however, leave the question of law open.

(A.S. BISHT)
COURT MASTER

(PUSHAP LATA BHARDWAJ)
COURT MASTER