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SLP(C)No. 17797 OF 2000

ITEM No.204

Court No. 2

SECTION IX
A/N MATTER

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.17797/2000

(From the judgement and order dated 21/06/2000 in WP 112/2000
of The HIGH COURT OF BOMBAY AT PANAJI)

DEVIDAS RAMA CHARI

Petitioner (s)

VERSUS

M/S. BHARAT PETROLEUM CORPN. LTD. & ORS.

Respondent (s)

(For Final Disposal)

Date : 07/09/2001 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.P. BHARUCHA
HON'BLE MR. JUSTICE BRIJESH KUMAR
HON'BLE MR. JUSTICE ASHOK BHAN

For Petitioner (s) Mr. Pratap Venugopal,Adv.
Mr. P.S. Sudheer,Adv.
for M/s. K.J. John & Co.,Adv.

For Respondent (s) Mr. Parijat Sinha,Adv.
Mr. Prashant Kumar,Adv.
Ms. Triveni Potttekar,Adv.
Mr. Chander Shekhar Ashri,Adv.

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

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Leave granted.

The civil appeal is ordered.

No order as to costs.

(T.I. Rajput)
Court Master

(Shelly Sengupta)
Court Master

(Signed order is placed on the file)

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

Civil Appeal No. 6256 of 2001@@
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(Arising out of S.L.P. (C) No.17797 of 2000)

Devidas Rama Chari ...Appellant (s)

Versus~

M/s. Bharat Petroleum Corpn. Ltd. & Ors.Respondent (s)

O R D E R@@
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Leave granted.

The notice on the special leave petition stated that the matter might be disposed of at the S.L.P. stage by an order setting aside the order under challenge and restoring the writ petition to the file of the High Court to be heard and disposed of on merits.

The High Court, by the order under challenge, summarily dismissed a writ petition filed by the present appellant. It said that another writ petition dealing with the same subject matter had been dismissed as withdrawn and "considering that, prima facie we are not inclined to admit the present petition". That another writ petition was dismissed as withdrawn is no reason why the present writ petition was not
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considered on its own merits. Therefore, without expressing any opinion on the merits, we set aside the order under challenge and restore the writ petition (No.112 of 2000) to the file of the High Court to be considered at the admission stage.

Order accordingly.
No order as to costs.

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.....J.
(S.P. Bharucha)@@
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.....J.
(Brijesh Kumar)@@
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.....J.

(Ashok Bhan)@@

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New Delhi,
September 07, 2001.