

ITEM NO.104

COURT NO.12

SECTION IVA

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

CIVIL APPEAL NO(s). 926 OF 2006

MUNIKRISHNAPPA

Appellant (s)

VERSUS

STATE OF KARNATAKA & ORS.

Respondent(s)

(With office report)

WITH

Civil Appeal NO. 925 of 2006

(With prayer for interim relief and office report)

Date: 29/09/2011 These Appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.M. LODHA

HON'BLE MR. JUSTICE JAGDISH SINGH KHEHAR

For Appellant(s) Mr. Joseph Pookkatt, Adv.
Mr. Prashant Kumar, Adv.
Mr. B.S. Iyengar, Adv.

Mr. Pradeep Misra, Adv. (not present)

For Respondent(s) Mr. S.N. Bhat, Adv.
Mr. N.P.S. Paswan, Adv.
Mr. D.P. Chaturvedi, Adv.
Mr. Ravi Paswan, Adv.
Mr. Rohaan Contractor, Adv.
Mr. Pankaj P., Adv.

Mr. V.N. Raghupathy, Adv.
Mr. Sanjay R. Hegde ,Adv. (NP)

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

Civil Appeal No. 926 of 2006

Civil Appeal is dismissed in terms of the signed order.

:1:

Civil Appeal NO. 925 of 2006

Civil Appeal is dismissed in terms of the signed order.

(Rajesh Dham)
Court Master

(Renu Diwan)
Court Master

(signed order is placed on the file)
IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(s). 926 OF 2006

MUNIKRISHNAPPA

Appellant (s)

VERSUS

STATE OF KARNATAKA & ORS.

Respondent(s)

WITH

Civil Appeal NO. 925 of 2006

O R D E R

Civil Appeal No. 926 of 2006

Mr. Joseph Pookkatt, learned counsel for the appellant, fairly submits that since the tenure of lease has expired, in so far as the present Appeal is concerned, nothing remains to be decided. However, he submits that an important question of law concerning the consideration of the applications for quarry lease "in order of receipt and date of application on first come first basis" is involved and the question of law may be considered by us.

In our view, the question of law may be kept open since having regard to the fact that tenure of lease has already expired, it is not proper to undertake the academic exercise.

:1:

Consequently, Civil Appeal is dismissed. The question of law is kept open. No costs.

Civil Appeal NO. 925 of 2006

In this Appeal no one appears for the appellant.

It appears that the tenure of lease has already expired and it is for this reason that no one is present on behalf of the appellant.

Civil Appeal is dismissed. However, question of law is kept open. No costs.

.....J.
(R.M. LODHA)

NEW DELHI;
SEPTEMBER 29, 2011

.....J.
(JAGDISH SINGH KHEHAR)