

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).21960-21961/2009  
(From the judgement and order dated 16/04/2009 in WA No. 743/2007 c/w WP No. 1102/2007 of T  
he HIGH COURT OF KARNATAKA AT BANGALORE)

SHREE RENUKA SUGARS LTD. Petitioner(s)  
VERSUS  
UNION OF INDIA & ORS. Respondent(s)

(With prayer for interim relief )

Date: 26/03/2010 These Petitions were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE G.S. SINGHVI  
HON'BLE MR. JUSTICE ASOK KUMAR GANGULY

For Petitioner(s)Mr. R.F. Nariman, Sr. Adv.  
Mr. Rajesh Mahale, Adv.  
Mr. P.K. Navadgi, Adv.

For Respondent(s)Mr. Mohan Parasaran, A.S.G.  
Ms. Indra Sawhny, Adv.  
Ms. Arti, Adv.  
Ms. Sushma Suri, A.O.R.

Mr. K.K. Venugopal, Sr.Adv.  
Ms. Indu Melhotra, Sr.Adv.  
Mr. Kush Chaturvedi, Adv.  
Mr. Vikas Mehta,A.O.R.

Ms. Anitha Shenoy ,Adv

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

Leave granted.

In terms of signed order, we allow the appeals, set aside the impugned order of the High Court with a request to the High Court to take up the Writ Appeal and the Writ Petition for final disposal and make an endeavour to dispose of the same within a period of three months from today.

(A.D. Sharma)  
Court Master

(Phoolan Wati Arora)  
Court Master  
(Signed Order is placed on the file)

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(s).2778-2779\_\_\_ OF 2010  
(arising out of S.L.P.(C) No(s).21960-21961/2009)

SHREE RENUKA SUGARS LTD....Appellant(s)

VERSUS

UNION OF INDIA AND OTHERS...Respondent(s)

O R D E R

Leave granted.

In these appeals, the appellant has prayed for setting aside order dated 16.4.2009 passed by the Circuit Bench of Karnataka High Court at Gulbarga in Writ Appeal No.743 of 2007 and Writ Petition No.1102 of 2007.

One of the grounds on which the impugned order has been assailed is that the High Court did not act in consonance with the direction given by this Court vide order 21.4.2008 passed in S.L.P.(C) Nos.9710-9711 of 2008.

We have heard learned counsel for the parties at some length and perused the record and are satisfied that the impugned order is liable to be set aside because instead of deciding the controversy between the parties on merits in terms of the direction given by this Court, the High Court directed respondent No.2 herein to dispose of the matter. Therefore, without going into the merits of the rival contentions, we allow the appeals, set aside the impugned order of the High Court with a request to the High Court to take up the Writ Appeal and the Writ Petition for final disposal and make an endeavour to dispose of the same within a period of three months from today.

Learned counsel appearing for the parties are requested to inform their counter-parts in the High Court to bring this order to the notice of the senior most Judge of Gulbarga Bench of the Karnataka High Court. If the parties so desire, they should file additional affidavits and documents within a period of 2 weeks. In any case, the State Government shall, within two weeks from today file an affidavit along with all the documents which have bearing on the controversy raised by the parties.

.....J.  
(G.S. SINGHVI)

.....J.  
(ASOK KUMAR GANGULY)  
NEW DELHI,  
March 26, 2010.