

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.3899/2004

(From the judgement and order dated 13/11/2003 in MCC 403/02
of The HIGH COURT OF M.P AT JABALPUR)

S.N.S.(MINERALS) LTD. & ANR.

Petitioner (s)

VERSUS

UNION OF INDIA & ORS.

Respondent (s)

(With prayer for interim relief)
With office report
With I.A.No.1 (appln. for permission to file addl. documents)

Date : 08/03/2004 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE N. SANTOSH HEGDE
HON'BLE MR. JUSTICE B.P. SINGH

For Petitioner (s)Mr. V.Lakshmikumaran, Adv.
Mr. Rajesh Kumar,Adv.

Mr. Alok Yadav, Adv.

For Respondent (s)

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

This Court in Civil Appeal No.4712 of 1995 while deciding the question of existence of a process of manufacture gave liberty to the petitioner to approach the High Court by way of a review petition to raise the question of limitation which according to the petitioner was raised and not considered by the High Court.

The petitioner filed a review petition thereafter and the High Court by the impugned order has held that the question of limitation was not raised by the petitioner in the writ petition hence rejected the review petition. The learned counsel appearing for the petitioner contends that though in the original petition the question of limitation was not raised it was specifically raised by the petitioner in an amended petition which was before the dismissal of the writ petition in the earlier round. Therefore, the view of the High Court in regard to the non-raising of the question of limitation is not correct.

Issue notice.

(PAWAN KUMAR)
COURT MASTER

(PREM PRAKASH)
COURT MASTER