

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil)...../2008
CC 17432/2008

(From the judgment and order dated 28/06/2007 in WA No. 1546/2007
of The HIGH COURT OF KERALA AT ERNAKULAM)

STATE OF KERALA & ORS. Petitioner(s)

VERSUS

M/S MANJOO & CO. Respondent(s)

(With appln. for c/delay in filing SLP and c/delay in refiling SLP)

Date: 09/01/2009 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE D.K. JAIN
HON'BLE MR. JUSTICE R.M. LODHA

For Petitioner(s) Mr. R. Sathish,Adv.

For Respondent(s)

UPON hearing counsel the Court made the following

ORDER

In view of the decision of this Court in Sunrise Associates
vs. Govt. of NCT of Delhi & Ors. (2006) 5 SCC 603, the special
leave petition stands dismissed on the ground of delay as well as
on merits.

However, before parting with the case, we would direct
the Law Secretary, State of Kerala to file an affidavit, enumerating
the circumstances which impelled the State to file the present
petition, despite the fact that the issue raised stands settled in the
aforementioned decision of this Court.

The report of the Law Secretary shall be placed before us
in Chambers.

[Usha Bhardwaj]
Court Master Court Master

[Vijay Dhawan]