

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).22174/2011

(From the judgement and order dated 18/04/2011 in CMWP No.28504/2000 of
The HIGH COURT OF JUDICATURE AT ALLAHABAD)

U.P.POWER CORP.LTD.

Petitioner(s)

VERSUS

RAKESH DONERIA & ORS.

Respondent(s)

(With appln(s) for directions and exemption from filing O.T. and office
report)

WITH S.L.P.(C)...CC NO. 17340 of 2011

WITH I.A. 1

(With appln(s) for c/delay in filing SLP and office report)

S.L.P.(C)...CC NO. 18387 of 2011

WITH I.A. 1

(With appln(s) for c/delay in filing SLP and office report)

Date: 06/09/2013 These Petitions were called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE B.S. CHAUHAN

HON'BLE MR. JUSTICE S.A. BOBDE

For Petitioner(s) Mr. Amrendra Sharan,Sr.Adv.
Mr. Pradeep Misra,Adv.
Mr. Daleep Dhayani,Adv.

For Respondent(s) Respondent-In-Person

Mr. Pramod Swarup, Sr.Adv.
Mr. Amit Kumar Singh, Adv.
Mr. Vinay Garg ,AdvMr. Pradeep Kumar Yadav, Adv.
Mr. Purvish Jitendra Malkan,Adv.

Mr. Adarsh Upadhyay ,Adv

Caveator-In-Person

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

SLP(C)No.22174/2011

We have heard Mr. Amrendra Sharan, learned senior counsel appearing for the petitioner and Respondent No.1 in person.

In this special leave petition, a large number of issues have been agitated by the U.P. Power Corporation Limited.

It has been pointed out that there are several errors apparent on the face of the record in the impugned judgment and various findings have been recorded contrary to the law and the observations made in the judgment of this Court in Bombay Electric Supply & Transport Undertaking vs. Laffans (India)P.Ltd & Anr. reported in 2005 (4) SCC 327.

We are of the considered opinion that in case there are errors apparent on the face of the record, the appropriate remedy available to the petitioner is to approach the High Court by way of filing the review petition where the petitioner is at liberty to raise factual and legal issues either of correcting the reading or of any other factual issue.

In view of the above, the special leave petition stands disposed of with liberty to the petitioner to file review petition before the High Court. The petitioner is at liberty to approach this Court again, if does not get any favourable order therein.

SLP(C)..CC NO.17340/2011 & SLP(C)...CC NO.18387/2011

Delay condoned.

In terms of the order passed in SLP(C)No.22174 of 2011, these special leave petitions stand disposed of.

| (O.P. SHARMA)
| Court Master

| (M.S. NEGI)
| Court Master

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