

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

I.A. NOS. 3-4 & 5-6 OF 2013

IN

CIVIL APPEAL NOS. 1495-1496 OF 2018

(Arising out of S.L.P. (C) Nos. 1340-1341 OF 2009)

U.P.STATE ELECTRICITY BOARD & ANR.

Appellant(s)

VERSUS

M/S. U.P.ALLOYS (P) LTD. & ORS.

Respondent(s)

O R D E R

Delay in filing the application for restoration is condoned.

Application for restoration is allowed.

Special Leave Petitions are restored to the file.

Leave granted.

Mr. Pradeep Misra, learned counsel appearing for the appellants in these matters has submitted that these appeals are squarely covered by the judgment of this Court in Shree Sidhbali Steels Ltd. & Ors. vs. State of U.P. & Ors., (2011) 3 SCC 193.

We do not see any reason to doubt the veracity of the statement made by Mr. Misra. Even otherwise, the judgment of the High Court is based mainly on the judgment of this Court in U.P. Power Corporation Ltd. & Anr. vs. Sant Steels & Alloys (P) Ltd. & Ors. reported in (2008) 2 SCC 777. The said judgment stood overruled by the above referred judgment in Shree Sidhbali Steels Ltd. (supra).

Thus, these matters are allowed in terms of the judgment in *Shree Sidhballi Steels Ltd.* (supra).

..... J.
(ROHINTON FALI NARIMAN)

.....J.
(NAVIN SINHA)

New Delhi;
February 02, 2018.

ITEM NO.14

COURT NO.11

SECTION XI

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

I.A. Nos. 3-4 & 5-6 of 2013 in Petition(s) for Special Leave to Appeal (C) No(s). 1340-1341/2009

(Arising out of impugned final judgment and order dated 18-07-2008 in WP No. 3424/1998 18-07-2008 in WP No. 884/1999 passed by the High Court Of Judicature At Allahabad, Lucknow Bench)

U.P.STATE ELECTRICITY BOARD & ANR. Petitioner(s)

VERSUS

M/S.U.P.ALLOYS (P) LTD. & ORS. Respondent(s)

Date : 02-02-2018 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ROHINTON FALI NARIMAN
HON'BLE MR. JUSTICE NAVIN SINHA

For Petitioner(s) Mr. Pradeep Misra, AOR
Mr. Manoj Kr. Sharma, Adv.
Mr. Suraj Singh, Adv.

For Respondent(s) Charu Singhal, Adv.
Mr. Jitendra Kumar Tripathi, Adv.
Mrs. Rachna Gupta, AOR

Mr. Samir Ali Khan, AOR

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

Delay in filing the application for restoration is condoned.

Application for restoration is allowed.

Special Leave Petitions are restored to the file.

Leave granted.

The matters are allowed in terms of the signed order.

(R. NATARAJAN)
COURT MASTER (SH)

(SAROJ KUMARI GAUR)
COURT MASTER

(Signed order is placed on the file)