

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS.6922-6923 OF 2009

(Arising out of S.L.P. (C) Nos.11245-11246 of 2009)

M/s. Annamalai Cotton Mills Pvt. Ltd. ...Appellant(s)

Versus

Supdt. Engineer & Ors. ...Respondent(s)

With Civil Appeal Nos.6925-6926/2009 @ S.L.P. (C)
Nos.22510-22511 of 2009

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S.L.P. (C) Nos.22510-22511 of 2009 are taken on Board.

Leave granted.

Heard learned counsel for the parties.

These appeals have been preferred against order passed in Writ Appeal Nos.343/1998, 344/1998 and Writ Petition Nos.7417/2000 and 7418/2000.

Undisputedly, the impugned order was passed by a Bench which did not have the occasion to hear the aforementioned writ appeals and writ petitions. In our view, this ground is, by itself, sufficient to set aside the impugned order.

It has been stated that Writ Petition No.6106 of 2000 has been also disposed of by the impugned order which also suffers from the same infirmity. Therefore, in-spite

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of the fact that no special leave petition has been filed challenging the order passed in the said writ petition and as the point raised is common, we feel it would be just and expedient to set aside the impugned order even in relation to Writ Petition No.6106 of 2000.

Accordingly, these appeals are allowed, the impugned order passed in relation to the aforementioned five cases is set aside and the cases are remitted to the High Court to decide the same afresh after giving opportunity of hearing to the parties.

Let hearing of the cases be expedited.

New Delhi,
October 08, 2009.



.....J.
[B.N. AGRAWAL]

.....J.
[G.S. SINGHVI]

JUDGMENT