

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS.8632-8634 OF 2009
(Arising out of SLP Nos.10824-10826 of 2007)

M/s. Gautami Power Limited & Anr. ...Appellants

VERSUS

Transmission Corporation of
A.P. Ltd. & Ors. ...Respondents
WITH

CIVIL APPEAL NOS.8635-8637 OF 2009
Arising out of SLP(C) Nos.10988-10990 of 2007)

O R D E R

Leave granted.

The present appeals by special leave are filed against a final judgment and order dated 18th of June, 2007 passed by a Division Bench of the High Court of Judicature of Andhra Pradesh at Hyderabad in Writ Appeal Nos.358, 483 and 484 of 2007, whereby the Division Bench had set aside the interim orders dated 28th of February, 2007 and 27th of April, 2007 passed by the learned Single Judge of the same High Court in interim applications

filed in Writ Petition Nos.3827 and 3906 of 2007 respectively.

As noted herein earlier, against the aforesaid orders of the Division Bench of the High Court, the special leave petitions were filed in this Court, in which notices were issued. Today, learned counsel appearing for the parties have brought to our notice that a settlement had already been arrived at by the appellants and APTRANSCO-respondent herein and the State, which has been placed on record by way of an Interlocutory Application No.7-9/2008, to which Gas Authority of India Limited, respondent No.5, is not a party to such settlement. Let the settlement arrived at by the appellant and the APTRANSCO and the State be kept on record. However, the learned counsel appearing for the appellants submits, on instruction, that while disposing of these appeals, if the questions, which have been raised in these appeals, are kept open, the same can be taken up

and decided in appropriate cases and the appeals can be disposed of with a direction that the settlement arrived at by the parties excepting the Gas Authority of India Limited, respondent No.5, would be entitled to raise these questions in an appropriate case, may be taken on record and shall form part of this order.

We order accordingly. In view of the aforesaid, the appeal is disposed of with the direction that the settlement arrived at between the appellants, APTRANSCO and the State be taken on record and shall form part of this order. We make it clear that the settlement arrived at by the parties shall not bind Gas Authority of India Limited, respondent No.5, which will be at liberty to take appropriate steps in accordance with law.

These appeals are disposed of accordingly with no order as to costs. Interim order, if any, shall stand vacated.

.....J.
[Tarun Chatterjee]

New Delhi;
November 30, 2009.

.....J.
[Surinder Singh Nijjar]

