

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION  
CIVIL APPEAL NO.2408 OF 2011  
(ARISING OUT OF SPECIAL LEAVE PETITION(C.)NO.12229 OF 2010)

BHARAT PETROLEUM CORPN.LTD.

... APPELLANT

VERSUS

LALMAN R. SHARMA & ORS.

... RESPONDENTS

O R D E R

Leave granted.

We have heard Mr.G.E.Vahanvati, learned Attorney General for India appearing for the Bharat Petroleum Corporation Ltd. and Mr.Aniruddha Rajput, learned counsel for the respondents.

The main grievance which has been articulated by learned Attorney General for India is that the impugned judgment has been passed without giving any opportunity to the appellant herein- Bharat Petroleum Corporation Ltd. to file its reply. In other words, the case of the appellant has not even been considered before passing the impugned judgment/order. We see considerable force in this submission. Consequently, the impugned order/judgment dated 25.01.2010 passed in Writ Petition No.952 of 2009 is set aside and the matter is remitted to the High Court for deciding it in accordance with law, after taking into consideration the reply of the appellant herein.

Since the matter has been pending here for quite some time, we request the High Court to decide it expeditiously.

The appeal is disposed of accordingly.

.....J.  
(DALVEER BHANDARI)

.....J.  
(DEEPAK VERMA)

NEW DELHI;  
9TH MARCH, 2011

