

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

IA No. 1 OF 2008 IN

Petition(s) for Special Leave to Appeal (Civil) No(s).8673/2008

(From the judgement and order dated 08/02/2008 in WPC No. 990/2007 of The
HIGH COURT OF DELHI AT N. DELHI)

SAURABH GUPTA & ANR.

Petitioner(s)

VERSUS

UNION OF INDIA & ANR.

Respondent(s)

(For directions and office report)

Date: 31/03/2009 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ALTAMAS KABIR

HON'BLE MR. JUSTICE H.L. DATTU

For Petitioner(s) Mr. Shrish Mishra, Adv.

Mr. Sanat Kumar, Adv.

Mr. Sanjay Sharawat, Adv.

For Respondent(s)

Ms. Meenakshi Arora, Adv.

UPON hearing counsel the Court made the following
ORDER

This special leave petition is one of those matters which were
part of the batch of matters which were heard on 31st July, 2008.

Subsequently, this I.A. has been filed indicating that notice should
have been issued in this matter, inasmuch as, an application had been
made by the petitioner to the Oil Company concerned on 10th
December, 2002, which was within the period identified by the Court,
namely, 8th October, 2002 and 5th February, 2003.

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IA 1 in SLP(C) 8673/2008...contd. (It.2,Ct.7.Dt.31/3/2009)

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During hearing of the application, it however, transpires that
after such application had been made, the petitioner offered the same
land to the Oil Company for the purpose of setting up a COCO Unit. As
submitted by Ms. Meenakshi Arora, appearing for the Oil Company, the
latter offer was accepted and a lease deed to that effect was also
executed.

The affect of the subsequent lease deed is that the offer earlier made stands nullified, since it has been made in respect of the same land.

In that view of the matter, we see no reason to change the view taken in respect of the special leave petition on 31st July, 2008. I.A. No. 1 is accordingly dismissed.

[Charanjeet Kaur]
Court Master

[Indu Satija]
Court Master