

ITEM NO.30 Court 11 (Video Conferencing) SECTION XI-A

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

Petition(s) for Special Leave to Appeal (C) No(s). 24915/2016

(Arising out of impugned final judgment and order dated 26-02-2016 in WA No. 251/2016 in WPC No. 25346/2014 passed by the High Court Of Kerala At Ernakulam)

BHARAT SANCHAR NIGAM LIMITED (BSNL) Petitioner(s)

VERSUS

LARSEN AND TOUBRO LIMITED & ORS. Respondent(s)

(IA No. 14625/2022 - APPLICATION FOR PERMISSION)

Date : 28-03-2022 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE HEMANT GUPTA
 HON'BLE MR. JUSTICE V. RAMASUBRAMANIAN

For Petitioner(s) Mr. Pavan Kumar, AOR

For Respondent(s) Mr. A. C. Mishra, Adv.
 Ms. Reetu Saipawar, Adv.
 Ms. Elana Salim, Adv.
 Ms. Asha Gopalan Nair, AOR

Mr. Nishe Rajen Shonker, AOR
Ms. Anu K. Joy, Adv.
Mr. Alim Anvar, Adv.

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

The present Special Leave Petition is directed against an order passed by the High Court declining to condone the delay of 447 days in filing of an Intra-Court Appeal. The learned Single Judge, in the impugned order dated 09.10.2014, had set aside the proceedings under The Kerala Revenue Recovery Act, 1968 initiated at the instance of the petitioner for the reason that the petitioner has a right to quantify the amount as claimed in Exhibit

P8. Therefore, liberty was granted to either of the parties to approach the civil court for appropriate relief.

Even if the delay in filing the Intra-Court Appeal is condoned, we do not find any error in the order, as the petitioner has not been able to show any authority to unilaterally determine the amount of damages caused to its cables by the respondents. Therefore, we find that no ground is made out for our interference in the present Special Leave Petition. The same is, accordingly, dismissed.

Pending interlocutory application(s), if any, is/are disposed of.

(JAYANT KUMAR ARORA)
COURT MASTER

(RENU BALA GAMBHIR)
COURT MASTER