

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 SPetition for Special Leave to Appeal (C) No.12025/2020

(Arising out of impugned final judgment and order dated 13-02-2020 in SCA No. 7759/2017 passed by the High Court of Gujarat at Ahmedabad)

M/S AUTO ENERGY & ANR.

Petitioner(s)

VERSUS

HINDUSTAN PETROLEUM CORPORATION LTD.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.102766/2020-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No.102765/2020-EXEMPTION FROM FILING O.T. and IA No.102764/2020-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 26-10-2020 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE N.V. RAMANA
HON'BLE MR. JUSTICE SURYA KANT
HON'BLE MR. JUSTICE ANIRUDDHA BOSE

For Petitioner(s)

Mr. Kanva M. Antani, Adv.
Ms. Garima Malhotra, Adv.
Mr. Tushar Singh, AOR
Ms. Pankhuri, Adv.

For Respondent(s)

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

The Court is convened through Video Conferencing.

Having heard the learned counsel appearing for the petitioners and carefully perusing the material available on record, we see no reason to interfere with the impugned order passed by the High Court.

However, taking into consideration the facts of the case, we feel that the observation made by the High Court is not called for particularly when the petitioners are contesting the matter and the suit is pending before the Trial Court.

In view of the above, we grant liberty to the petitioners to raise all contentions before the Trial Court.

We also direct the Trial Court to decide the suit on its own merits and in accordance with law, uninfluenced by any observation made by the High Court.

The Special Leave Petition is disposed of in the afore-stated terms.

Consequent upon the disposal of the Special Leave Petition, pending applications filed in the matter also stand disposed of.

(VISHAL ANAND)
ASTT. REGISTRAR-cum-PS

(RAJ RANI NEGI)
DY. REGISTRAR