

Murliwala Minerals Pvt. Ltd. vs. Union of India & Ors.

Dismissal of Special Leave Petition arising out of orders of the High Court of Jharkhand — maintainability of Letters Patent Appeal kept open.

Date of Order: September 29, 2014
Case Law No: GIB-SC-2014-04
Source: GST INDIA Biz (www.gstindia.biz)

CASE DESCRIPTION / SUMMARY

BACKGROUND

The petitioner approached the Supreme Court by way of Special Leave Petitions challenging the final judgment dated 22.11.2012 passed in a Writ Petition before the High Court of Jharkhand at Ranchi and the subsequent order dated 28.04.2014 passed in a Letters Patent Appeal arising therefrom. The petitions were filed with applications for condonation of delay in filing and refiling.

CRUCIAL COURT OBSERVATIONS (Verbatim)

The Supreme Court passed only the following operative order and made no detailed observations on merits:

"Delay condoned. The special leave petitions are dismissed. However, the issue relating to maintainability of Letters Patent Appeal, is kept open."

FINAL VERDICT

The Supreme Court dismissed the Special Leave Petitions after condoning the delay, without going into the merits. The question of maintainability of the Letters Patent Appeal was expressly kept open. □