

SUPREME COURT OF INDIA

S.K. Warikoo

Vs.

State of J&K

(A Anand and K Thomas JJ.)

05.11.1997

ORDER

1. Delay condoned.

2. Personal hearing declined.

3. With this review petition, three annexures have been filed. According to Annexure 1, one of the Members of this Bench (Anand, J.) had admitted the Letters Patent Appeal (No. 30 of 1986) to hearing while presiding over a Division Bench, as Chief Justice of the Jammu and Kashmir High Court, on 7-9-1987. Annexure 3 is the copy of Government Notification No. 51 of 1997 of 30-1-1997 reconstituting the Board of Directors of SIDCO after superseding the earlier Board constituted on 18-3-1996. This information was withheld from the Bench at the time when the special leave petition was argued. Annexures 1 and 3 were not brought to the notice of the Bench. In the special leave petition also there is no indication of the facts as contained in these two annexures. We record our strong disapproval of withholding these facts from the Bench when the SLP was argued. It was improper on the part of the advocate not to have informed the Bench. The

petitioner-in-person has now rightly averred in para 19 of the review petition that had those "facts been brought to the notice of this Hon'ble Court, their Lordships would have declined to hear the matter".

4. Be that as it may, now that the petitioner-in-person has brought to the notice of the Bench through this review petition that one of us (Anand, J.) had dealt with the matter in the High Court, even though at a preliminary stage of admission of the LPA, we consider it appropriate to issue notice to the learned counsel who had appeared for the respondents on 28-7-1997 in the SLP, in this review petition returnable next week. The record of the special leave petition shall be put up along with the review petition and the same be listed along with this review petition before a Bench of which Anand, J. is not a Member.