

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

MISCELLANEOUS APPLICATION Diary No(s). 64687/2025

[Arising out of impugned final judgment and order dated 25-04-2025 in D No. No. 2109/2025 passed by the Supreme Court of India]

ENTEGRAL LIMITED

Petitioner(s)

VERSUS

SHREE MAHESHWAR HYDEL POWER
CORPORATION LTD. & ANR.

Respondent(s)

IA No. 67505/2026 - CONDONATION OF DELAY IN FILING APPLICATION FOR
RESTORATION, IA No. 67504/2026 - RESTORATION

Date : 14-10-2026 This matter was called onResp for hearing today.

CORAM :

HON'BLE MR. JUSTICE MANOJ MISRA
HON'BLE MR. JUSTICE VIJAY BISHNOI

For Petitioner(s) Mr. Mahesh Jethmalani, Sr. Adv.
Mr. Abhishek Puri, Adv.
Mr. Ravi Sharma, Adv.
Mr. Ajay Awasthi, Adv.
Mr. Sahil Grewal, Adv.
Mr. Praphull Kumar, Adv.
Mrs. Reeta Dewan Puri, Adv.
Mr. P. N. Puri, AOR
Ms. Shreya Rajkamal, Adv.
Ms. Surbhi Gupta, Adv.

For Respondent(s) Mr. Tushar Mehta, Solicitor General
Mr. Deepak Khurana, Adv.
Mr. Anurag Vats, Adv.
Ms. Anushka Saxena, Adv.
Mr. Prateek Yadav- 3347, AOR

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

1. This application seeking restoration of Civil Appeal
Diary No.5988 of 2026 has been found *prima facie* not

maintainable by the learned Chamber Judge vide order dated 16.07.2026 in view of the decision of this Court in CA Ramchandra Dallaram Choudhary vs. Adani Infrastructure and Developers Private Limited.

2. The learned counsel for the appellant/applicant has cited before us a judgment of this Court dated 28.07.2026 in Civil Appeal No.8807 of 2026 in the case of Walchandnagar Industries Limited vs Swaraj India Agro Ltd. wherein it was observed that the decision in CA Ramchandra Dallaram Choudhary (supra) would not be applicable to a case where defects are notified multiple times thereby giving fresh opportunities to cure the defects.
3. The learned Solicitor General who appears for the respondent submits that decision in Walchandnagar Industries Limited (supra) would not be applicable where same defects are notified. Besides, the defects must be cured within a specified period from the date they are notified as was in the case of Walchandnagar Industries Limited (supra).
4. Our attention has been invited to the defect sheet of the concerned appeal which finds place in Volume-VI of I.A. No.258133 of 2026. By pointing out the entry at Sl.No.16, it has been submitted on behalf of the respondents that defects pointed earlier were again notified on 23.06.2025. In such

circumstances, the peremptory order of this Court which mentions that if defects are not cured the appeal shall stand dismissed would operate and, therefore, the present case would be distinguishable from the case handled by this Court in Walchandnagar Industries Limited

5. The learned counsel for the applicant has sought to argue that the entry in the defect sheet at Sl.No.16 is incorrect insofar as it recites that Defect No.3, 4 and 8 along with Defect No.11 were not cured.
6. Having regard to the peculiar facts of the case, we deem it appropriate to grant time to the applicant to submit an affidavit raising its objection to the correctness of the defect sheet prepared by the Registry. Such objection/affidavit be filed within two weeks. The affidavit so filed shall specifically indicate whether the defects notified earlier were removed, if so when.
7. The affidavit shall also describe the nature of the defects and the manner in which they were removed. In case such an affidavit is filed within the time specified above, the Registry would have three weeks' time to submit a response to the affidavit.
8. List this matter on 09.12.2026.

(KAVITA PAHUJA)
ASTT. REGISTRAR-cum-PS

(SAPNA BANSAL)
COURT MASTER (NSH)