

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

SPECIAL LEAVE PETITION (CIVIL) Diary No.37077/2026

[Arising out of impugned final judgment and order dated 07-05-2026 in WA No.1388/2026 passed by the High Court of Karnataka at Bengaluru]

SREEKRISHNA TRADERS

Petitioner

VERSUS

STATE OF KARNATAKA & ORS.

Respondents

I.A. No.214279/2026-CONDONATION OF DELAY IN REFILING/CURING THE DEFECTS

I.A. No.214276/2026-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

I.A. No.214277/2026-EXEMPTION FROM FILING O.T.

Date : 07-08-2026 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE DIPANKAR DATTA
HON'BLE MR. JUSTICE SHEEL NAGU

For Petitioner(s) :Mr. Sameer Gupta, Adv.
Mr. Waheb Hussaini, AOR
Mr. Sourabh, Adv.
Ms. Satvika Sharma, Adv.
Mr. Shaurya Dhoundiyal, Adv.
Mr. Aniruddha Das, Adv.
Ms. Saniya Rizvi, Adv.

For Respondent(s) :

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

1. Delay condoned.
2. We are not inclined to interfere with the impugned judgment and order of the High Court; hence, the special leave petition is dismissed.
3. However, we need to make a parting observation.

4. A Single Judge of the High Court while disposing of the application for modification filed by the petitioner, i.e., I.A. No.1 of 2026 as withdrawn and reserving the petitioner's liberty to file a writ appeal has observed that the petitioner is granted the benefit of limitation under Section 14 of the Limitation Act, 1963.

5. We are surprised that the Single Judge made such an observation. It is not for a Single Judge to dictate terms for filing of an appeal before a Division Bench. Whether or not a party would be entitled to the benefit of Section 14 should have been left entirely for the intra-appellate court to examine, if at all any appeal were carried before it. Observation of this nature is bound to create chaos and confusion.

6. We treat this as an aberration and hope and trust that there will be no recurrence of such an error.

7. Pending application(s), if any, shall stand disposed of.

(RASHMI DHYANI PANT)
ASST. REGISTRAR-CUM-PS

(SUDHIR KUMAR SHARMA)
COURT MASTER (NSH)