

SECTION XII

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

INTERLOCUTORY APPLICATION NOS. 4-6

(Application for modification Mr. D.K. Sinha, Advocate)

AND

INTERLOCUTORY APPLICATION NOS. 10-12

(Application for impleadment Mr. D.K. Sinha, Advocate)

AND

INTERLOCUTORY APPLICATION NOS. 13-15

(Application for clarification/direction Mr. Suresh Chandra
Tripathy, Advocate)

AND

INTERLOCUTORY APPLICATION NOS. 16-18

(Application for permission to file impleadment application Mr.
Suresh Chandra Tripathy, Advocate)

AND

INTERLOCUTORY APPLICATION NOS. 19-21

(Application for impleadment Mr. P. V. Saravana Raja,
Advocate)

AND

INTERLOCUTORY APPLICATION NOS. 22-24

(Application for modification Mr. P. V. Saravana Raja,
Advocate)

AND

INTERLOCUTORY APPLICATION NOS. 25-27

(Application for permission for recalling Court's order dated
15.12.2016 Mr. Ashutosh Dubey, Advocate)

AND

INTERLOCUTORY APPLICATION NOS. 28-30

(Application for recalling Court's order dated 15.12.2016
Mr. Ashutosh Dubey, Advocate)

AND

INTERLOCUTORY APPLICATION NOS. 7-9

(Application for modification Mr. Shailesh Madiyal, Advocate)

AND

INTERLOCUTORY APPLICATION NOS. 31-33

(Application for impleadment Mr. Shailesh Madiyal, Advocate)

AND

INTERLOCUTORY APPLICATION NOS. 34-36

(Application for permission to recalling Court's order dated
15.12.2016 Mr. Ashutosh Dubey, Advocate)

AND

INTERLOCUTORY APPLICATION NOS. 37-39

(Application for recalling Court's order dated 15.12.2016
Mr. Ashutosh Dubey, Advocate)

AND

INTERLOCUTORY APPLICATION NOS. 40-42

(Application for modification of Court's order dated 15.12.2016
Mr. B. Balaji, Advocate)

IN

CIVIL APPEAL NOS. 12164-12166 OF 2016

WITH

INTERLOCUTORY APPLICATION NO. 5

(Application for direction/modification Mr. A. Venayagam Balan, Advocate)

WITH

INTERLOCUTORY APPLICATION NO. 6

(Application for direction/modification filed by Mr. V.G. Pragasam, Advocate)

WITH

INTERLOCUTORY APPLICATION NO. 7

(Application for impleadment filed by Mr. V.G. Pragasam, Advocate)

IN

CIVIL APPEAL NO. 12169 OF 2016

AND

CIVIL APPEAL NO. 12170 OF 2016

State of Tamil Nadu represented
by Secretary Home & Ors. Etc.

...Petitioners

Versus

K. Balu & Ors. Etc

...Respondents

OFFICE REPORT

It is submitted that the instant Civil Appeals alongwith connected matters were listed before the Hon'ble Court on 15th December, 2016 when the Hon'ble Court disposed of the same. Copy of the Judgment is annexed with respective application paper books.

The Interlocutory application Nos. 4-6 and 7-9 in C. A. Nos.12164-12166 of 2016 and 5-6 in C.A. No. 12169 of 2016 were listed before the Hon'ble Court on 6th February, 2017, when the Court was pleased to pass the following order:-

"We are of the opinion that these applications may be listed before a Bench comprising one of us (Dr. D.Y.Chandrachud, J.) and Hon'ble Mr. Justice L. Nageswara Rao subject to orders of Hon'ble the Chief Justice of India.

The matter may be listed within two weeks.

The interlocutory applications which are circulated in the matter shall also be numbered by the Registry."

It is submitted that in compliance to the order quoted above all the unregistered applications which were circulated before the Hon'ble Court on 6th February, 2017 have been registered and are listed before the Hon'ble Court.

CIVIL APPEAL NOS. 12164-12166 OF 2016

It is submitted that Mr. D. K. Sinha, Advocate, has on 18th January, 2017 filed an application for modification of Hon'ble Court's order dated 15th December, 2016 and application for impleadment in Civil Appeal Nos. 12164-12166 of 2016, on behalf of All Assam IMFL Retailer's Association and another. The Application for Modification have been registered as Interlocutory Application Nos. 4-6 and 10-12 respectively. Copies of the same are placed with the Civil Appeal paper books.

It is further submitted that Mr. Suresh Chandra Tripathy, Advocate, has on 20th January, 2017, filed an application for direction/clarifications and application for permission to file impleadment application. Both the applications have been registered as Interlocutory Application Nos. 13-15 and 16-18 respectively. Copies of the same are placed with the Civil Appeal paper books.

It is further submitted that Mr. P. V. Sarvana Raja, Advocate, has on 31st January, 2017 filed applications for impleadment and modification/direction on behalf of Rayala Subba Rao in Civil Appeal Nos. 12164-12166 who is not a party to the matter. Both the applications have been registered as Interlocutory Application Nos. 19-21 and 22-24 respectively. Copies of the same are placed with the Civil Appeal paper books.

It is further submitted that Mr. Ashutosh Dubey, Advocate has on 30th January, 2017 filed applications on behalf of All Bengal Licensees Association & Ors. For permission to recall this Hon'ble Court's order dated 15th December, 2016, recalling Court's order dated 15.12.2016. Both the applications have been registered as Interlocutory Application Nos. 25-27 and 28-30 respectively. Copies of the same are placed with the Civil Appeal paper books.

It is further submitted that Mr. Sailesh Madiyal, Advocate, has on 2nd February, 2017, filed applications for modification and impleadment on behalf of State of Meghalaya which have been registered as Interlocutory Application Nos. 7-9 and 31-33. Copies of the same are placed with the Civil Appeal paper books.

It is further submitted that Mr. Ashutosh Dubey, Advocate has on 3rd February, 2017 filed applications for permission to recall this Hon'ble Court's order dated 15.12.2016 and recalling Court's order dated 15.12.2016 on behalf of Society for Welfare of West Bengal Foreign Liquor Licenses. Both the applications have been registered as Interlocutory Application Nos. 34-36 and 37-39 respectively. Copies of the same are placed with the Civil Appeal paper books.

It is further submitted that various Advocates have filed applications for modification/direction/clarification on behalf of parties who were not a party before this Hon'ble Court at Special Leave Petition stage. As the matter is on board, details of all the applications filed after 6th February, 2017 by various Advocates are given below and are being circulated before the Hon'ble Court with this office report.

SL. NO.	FILING DATE	DIARY NO.	NAME OF ADVOCATE	APPLICATION FOR	NAME OF APPLICANTS
1.	6.2.2017	11840	Mr. Guntur Prabhakar	Extension of time/Directions	State of Andhra Pradesh
2.	7.2.2017	12254	Mr. Raghavendra S. Srivastva	(i) Impleadment as party respondent (ii) direction	Federation of wine Merchants Asson. Society
3.	8.2.2017	12550	Mr. Sumit Kumar	(i) Modification (ii) Impleadment	All Arunachal Pradesh IMFL Retailers Association & Ors.
4.	10.2.2017	13588	Dr. Kedar	Direction	Behrampur

			Nath Tripathy		Liquor Retailers Association
5.	13.2.2017	14150	Mr. Suresh Chandra Tripathy	(i) Impleadment (ii) Direction	Dhadeswar Sahoo & Anr
6.	15.2.2017	14954	Mr. Shradul S. Shroff	Impleadment	Maharashtra Wine Merchant Asson & Anr.
7.	15.2.2017	14958	Mr. Shradul S. Shroff	Modification	Maharashtra Wine Merchant Asson & Anr.
8.	15.2.2017	14821	Mr. Rameshwar Prasad Goel	Impleadment	Deepti Jagdish Kkatter & Ors.
9.	15.2.2017	15011	Ms. Nandini Sen	(i) Impleadmen (ii) Modification	West Bengal Foreign Liquor Country Spirit Off & On Shop & Hotel Owners Association & Ors.
10.	15.2.2017	15025	Mr. S. Uday Kumar Sagar	Extension of Time	State of Telangana
11.	15.2.2017	14985	Mr. S. Uday Kumar Sagar	Impleadment	State of Telangana
12.	22.2.2017	18423	Mr. Himinder Lal	(i) Impleadment (ii) Direction	P.L. Prakash James Proprietor M/s P.J. Princes s Regency, Kerala
13.	28.2.2017	18665	Mr. Sarvanan Raja	Impleadment	Andhra Pradesh State Wine Dealers Asson., Guntur
14.	1.3.2017	19362	Mr. Varendra Kumar Sharma	(i) Impleadment (ii) Modification	State of Himachal Pradesh thr. Seceretary Exice & Taxation &

					Anr.
15.	2.3.2017	19908	M\s Arputham Aruna & Co.	Direction	State of Sikkim
16.	3.3.2017	20289	Mr.V.N.Raghupathy	Impleadment	State of Karnataka Thr.Addl.Chief Secretary
17.	3.3.2017	20092	Mr.Shradul S.Shroff	For permission to place Additional document	Maharashtra Wine Merchant Asson.
18.	3.3.2017	20142	Mr.Anirudh Sanganeria	Impleadment	Mr.Naliakanta Mohapatra, Odisha
19.	17.2.2017	15904	Mr.E.C.Agarwala	Clarification	National Restaurant Asson.
20.	20.2.2017	16394	Mr.P.V.Dinesh	Impleadment	Kerala State Beverages Manufacturing & Marketing, Kerala
21.	20.2.2017	16397	Mr.P.V.Dinesh	Modification	Kerala State Beverages Manufacturing & Marketing, Kerala
22.	21.2.2017	16864	Mrs.V.D.Khanna	Modification/clarification/recalling	Maharashtra Rajya Daru Vikreta Mahamandal & Anr.
22.	21.2.2017	16904	Mr.D.K.Sinha	Impleadment	All Assam IMFL Retailer Asson. & Anr.
23.	04.3.2017	20389	Mr.Binay Kumar Das	Modification/Clarification Impleadment	Begal Zone Foreign Liquor Shop & Anr.
24.	6.3.2017	20842	Mr.Anirudh Sanganeria	Impleadment	Niranjan Das, Odisha

25.	6.3.2017	20844	Mr.Anirudh Sanganeria	Impleadment	Prabir Kumar Harichandan , Odisha
26.	6.3.2017	20840	Mr.Anirudh Sanganeria	Impleadment	Sujit Kumar Routray, Odisha
27.	6.3.2017	20684	Mr.Ananya Ghosh	Impleadment	Hotel & Restaurant Asson.East India. Address not given
28.	6.3.2017	20685	Mr.Ananya Gosh	Clarification	Hotel & Restaurant Asson.East India. Address not given
29.	7.3.2017	21021	Mr. Anirudh Sanganeria	(i) Impleadment (ii) Clarification	Saroj Kumar Baliarsingh (Defective)
30.	7.3.2017	21038	Mr. Anirudh Sanganeria	(i) Impleadment (ii) Clarification	Pratap Kumar Mohanty, Odisha (Defective)
31.	7.3.2017	21065	Mr. Anirudh Sanganeria	(i) Impleadment (ii) Clarification	Pratap Kumar Panda, Odisha (Defective)
32.	7.3.2017	21043	Mr. Anirudh Sanganeria	(i) Impleadment (ii) Clarification	Anita Patra, Khordha, Odisha (Defective)
33.	7.3.2017	21049	Mr. Anirudh Sanganeria	(i) Impleadment (ii) Clarification	Basantinath Dutta, Odisha (Defective)
34.	7.3.2017	21054	Mr. Anirudh Sanganeria	(i) Impleadment (ii) Clarification	Binod Chandra Rout, Khordha Odisha (Defective)
35.	7.3.2017	21068	Mr. Anirudh Sanganeria	(i) Impleadment (ii) Clarification	Tirubhuvan Jena, Khurdha, Odisha (Defective)
36.	7.3.2017	21077	Mr. Anirudh Sanganeria	(i) Impleadment (ii) Clarification	Prakash Chandra Baral,

					Khordha, Odisha (Defective)
37.	7.3.2017	21085	Mr. Anirudh Sanganeria	(i) Impleadment (ii) Clarification	Tara kanta Sahu, District Nayagarh, Odisha (Defective)
38.	7.3.2017	21081	Mr. Anirudh Sanganeria	(i) Impleadment (ii) Clarification	Sambit Kumar Kalhansingh, Khordha, Odisha (Defective)
39.	7.3.2017	21091	Mr. Anirudh Sanganeria	(i) Impleadment (ii) Clarification	Surender Pradhan, Khordha, Odisha (Defective)
40.	7.3.2017	21094	Mr. Anirudh Sanganeria	(i) Impleadment (ii) Clarification	Himansu Mohan Padhi, Khordha, Odisha (Defective)
41.	7.3.2017	21099	Mr. Anirudh Sanganeria	(i) Impleadment (ii) Clarification	Sambit Padhi, Khordha, Odisha (Defective)
42.	7.3.2017	21103	Mr. Anirudh Sanganeria	(i) Impleadment (ii) Clarification	Debasish Mohanty, Puri, Odisha (Defective)
43.	7.3.2017	21138	Mr. Venkateswara Rao Anamoulu	(i) Impleadment (ii) Modification	Telangana Wine Dealers Association
44.	9.3.2017	22162	Mr. Anirudh Sanganeria	Impleadment	Sandip Raiguru, Puri, Odisha
45.	9.3.2017	22155	Mr. Anirudh Sanganeria	Impleadment	Satyabhama Mangaraj, Khurda, Odisha
46.	9.3.2017	22165	Mr. Anirudh Sanganeria	Impleadment	Bilash Dutta Mohapatra, Puri, Odisha
47.	9.3.2017	22025	Mr. Anirudh Sanganeria	Modification	Nalinikanta, Khorda, Odisha
48.	9.3.2017	22151	Mr. Anirudh Sanganeria	Impleadment	Saraswati Sahu, Khorda, Odisha

49.	9.3.2017	21996	Mr. P. V. Yogeswaran	(i) Impleadment (ii) Clarification (Defective-separate I.As are to be filed)	Tamil Nadu TASMAC, Bar Owner's, Bar Building Owner's & Labour Welfare Asson., Choolaimadu, Chennai
50.	10.3.2017	22642	Mr. Amol N. Suryawanshi	Modification	Bijay Narayandas Rizwani & Anr.
51.	11.3.2017	22779	Mr. Tejaswi Kumar Pradhan	(i) Clarification (ii) Impleadment	Vivek Singh, S/o of Shri Paramananda Singh, Koraput, Odisha
52.	11.3.2017	22902	Mr. Rameshwar Prasad Goyal	Stay on implementation of directions passed in the Judgment	Sangeeta Balasaheb Sohrawane
53.	20.3.2017	23289	Mr. P.V. Dinesh	Modification	Kerela State Corporative Consumers Federation Ltd. Ernakulam, Kerela
54.	20.3.2017	23286	Mr. P.V. Dinesh	Impleadment	Kerela State Corporative Consumers Federation Ltd. Ernakulam, Kerela
55.	20.3.2017	23496	Mr. Suvidutt M.S.	Intervention as party respondent	V.M. Sudheeran
56.	21.3.2017	23948	Mr. Anirudh Sanganageria	Modification	Dinabandhu Ransingh, Jatni, Odissa
57.	22.3.2017	24652	Mr. Aviral Kashyap	Direction	Sikkim Liquor Vendors Asson.
58.	23.3.2017	24796	Mr. Sumanth Nookala	Modification and Impleadment	Kusuma Venkata Rao
59.	23.3.2017	24838	Mr. R. Nedumaran	Impleadment	R. Parvati & Ors.
60.	20.3.2017	24850	Mr.R.	Direction	R. Parvati &

			Nedumaran		Ors.
61.	20.3.2017	24852	Mr. Anirudh Sanganeria	Modification	Snehamayee Prusty, Odissa
62.	22.3.2017	24911	Mr. Aman Gupta	Impleadment & Direction	Delhi Tourism & Transportation Development Corporation Ltd.
63.	24.3.2017	25246	M/s. Parekh & Co.	Impleadment	Hotel Association of India (Page Nos. of Annexures Not Marked)
64.	24.3.2017	25248	M/s. Parekh & Co.	Clarification	Hotel Association of India (Page Nos. of Annexures Not Marked)
65.	24.3.2017	25275	Ms. Abha R. Sharma	Intervention and Modification	Ghanshyam Vishandas Pahlani
66.	25.3.2017	25625	Mr. M.C. Dhingra	Impleadment and Modification IA's are defective as separate IA's to be filed	Ravi Satyanarain Sharma & Anr. Nagpur, Maharashtra

It is submitted that Mr. Ardhendumauli Kumar Prasad, Advocate has on 28th February, 2017, filed Review Petition alongwith permission to file Review Petition in C.A. Nos. 12164-12166 of 2016 on behalf of state of Uttar Pradesh through Principal Secretary, Excise, which is defective as the cause title is not proper. As the matter is on board, the same is being circulated.

It is further submitted that Mr. Sanjay Madhavrao Ghatage, resident of Kohlapur, Maharashtra, has sent a letter through e-mail in C.A. Nos. 12164-121666 of 2016 stating therein that it may be the representation may be considered as Review Petition as it involves interest of public at large and lakhs

of workers engaged in this. As the matter is on board the same is being circulated.

It is lastly submitted that Mr. Suvidutt M.S., Advocate has on 23rd March, 2017 filed a Contempt Petition(D. No. 9250 of 2017) against Pinayari Vijayan, Chief Minister, Government of Kerela for willful disobedience of the order of this Hon'ble Court dated 15th December, 2016 in C.A. Nos. 12164-121666 of 2016 but the same is defective for the reason

- a) Complete addresses of the alleged contemnors is not given.
- b) Complete Civil Appeal cause title not given.
- c) Paragraph regarding first contempt petition against order dated 15th December, 2016 is not given. As the matter is on board unregistered contempt petition may be circulated with office report.

It is lastly submitted that Mr. Mishra Saurabh, standing counsel for the State of Madhya Pradesh has on 24th March, 2017 filed affidavit in compliance of order of this Hon'ble court dated 15th December, 2016.

CIVIL APPEAL NO. 12169 OF 2016

It is submitted that Mr. A. Venayagam Balan, Advocate, has on 2nd February, 2017, filed an application for direction/modification and impleadment in Civil Appeal No. 12169 of 2016 on behalf of Puducherry Anaithu Madhupana, Urimaiyalargal Matrum Viyabarigal, Nala Sangam. The application for modification has been registered as Interlocutory Application No. 5. Copy of the same is placed with Civil Appeal Paper books.

It is also submitted that Mr. V.G. Pragasam, Advocate, has on 2nd February, 2017, filed an application for direction/modification and impleadment in Civil Appeal No. 12169 of 2016 on behalf of the Appellant, Union of India Rep by Union Territory of Puducherry. The application for modification and application for impleadment have been registered as Interlocutory Application Nos. 6 & 7 respectively.

It is further submitted that M/s. Parekh & Co., Advocates, has on 18th February, 2017, filed application for impleadment and application for clarification with D. Nos. 16006 and 16010 respectively on behalf of Federation of Hotel and Restaurant Association of India.

As the matter is on board, the Interlocutory Application for impleadment and clarification of Court's order dated 15.12.2016, both the unregistered applications are circulated before the Hon'ble Court.

CIVIL APPEAL NO. 12170 OF 2016

It is submitted that Mr. Rakesh K. Sharma, Advocate has on 14th February, 2017, filed an application for direction to exempt the applicants from the order dated 15.12.2016 on behalf of the Appellant, Mahe Liquor Merchants Association. As the matter is on board, unregistered application for direction is circulated before the Hon'ble Court.

It is further submitted that Mr. Rakesh K. Sharma, Advocate has on 14th February, 2017, filed an application for direction on behalf of the appellant Mahe Liquor Merchants Association but the prayer portion is not proper. As the matter is on board, Interlocutory Application for direction is circulated before the Hon'ble Court.

The applications in the matters above mentioned are listed before the Hon'ble Court with this office report.

Dated this, the 25th day of March, 2017.

ASSISTANT REGISTRAR

COPY TO: Mr. B. Balaji, Advocate
Mr. P. Ramesh, Advocate
Mr. D. S. Mahra, Advocate
Mr. Kunal Verma, Advocate
Mr. V.K. Biju, Advocate
Mr. V.G. Pragasam, Advocate.
Mr. Rakesh K. Sharma, Advocate.
Mr. Vipin Nair, Advocate
Mr. Kamendra Mishra, Advocate
Mr. Sailesh Madiyal, Advocate
Mr. D. K. Sinha, Advocate
Mr. Suresh Chandra Tripathy, Advocate
Mr. P. V. Sarvana Raja, Advocate
Mr. A. Venayagam Balan, Advocate

Mr. Guntur Prabhakar, Advocate
Mr. Raghavendra S. Srivastva, Advocate
Mr. Sumit Kumar, Advocate
Dr. Kedar Nath Tripathy, Advocate
Mr. Suresh Chandra Tripathy, Advocate
Mr. Shradul S. Shroff, Advocate
Mr. Rameshwar Prasad Goel, Advocate
Ms. Nandini Sen, Advocate
Mr. S. Uday Kumar Sagar, Advocate
Mr. Himinder Lal, Advocate
Mr. Sarvanan Raja, Advocate
Mr. Varendra Kumar Sharma, Advocate
M\&s Arputham Aruna & Co., Advocates
Mr. V.N.Raghupathy, Advocate
Mr. Shradul S.Shroff, Advocate
Mr. Anirudh Sanganeria, Advocate
Mr. E.C.Agarwala, Advocate
Mr. P.V.Dinesh, Advocate
Mrs V.D.Khanna, Advocate
Mr. Binay Kumar Das, Advocate
Mr. Ananya Ghosh, Advocate
Mr. Venkateswara Rao Anamoulu, Advocate
Mr. P. V. Yogeswaran, Advocate
Mr. Amol N. Suryawanshi, Advocate
Mr. Tejaswi Kumar Pradhan, Advocate
Mr. Rameshwar Prasad Goyal, Advocate
Mr. Suvidutt M.S., Advocate
Mr. Aviral Kashyap, Advocate
Mr. Sumanth Nookala, Advocate
Mr. R. Nedumaran, Advocate
Mr. Aman Gupta, Advocate
Ms. Abha R. Sharma, Advocate
Mr. M.C. Dhingra, Advocate
Mr. Mishra Saurabh

ASSISTANT REGISTRAR

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