

ITEM NO.1

COURT NO.9

SECTION IIIA

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

Original Suite No.2/2014

STATE OF U.P.

Petitioner(s)

VERSUS

GOVT.OF NCT OF DELHI & ORS.

Respondent(s)

(With appln.(s) for amendment in plaint and c/delay in filing reply and exemption from filing O.T. and ex parte stay and interim relief)

Date : 15/04/2015 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE M.Y. EQBAL
HON'BLE MR. JUSTICE AMITAVA ROY

For Petitioner(s) Dr. Abhishek Manu Singhvi, Sr.Adv.
Mr. Ardhendumauli Kumar Prasad,Adv.

For Respondent(s) Ms. Ranjana Narayan, Adv.
Mr. Rana Mukharjee, Adv.
Ms. Sushma Suri, Adv.

Mr. A.K. Panda, Sr. Adv.
Mr. W.A. Quadri, Adv.
Ms. Binu Tamta, Adv.
Ms. Sadhna Sandhu, Adv.
Ms. Kiran Bhardwaj, Adv.
Mr. D. S. Mahra,Adv.

Mr. P.P. Malhotra, Sr.Adv.
Ms. Rachana Srivastava,Adv.
Mr. Utkarsh Sharma, Adv.

Mr. Vishnu B. Saharya, Adv.
For M/s Saharya & Co.,Adv.

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

Reference may be made to this Court's order dated 25.02.2015
which reads as under :

"Reference may be made to the Order dated 25.11.2014, which reads as under :-

On the ground of the subsequent development an application i.e. I.A. No.11 of 2014 seeking amendment of plaint has been filed by the plaintiff-State of U.P.

Learned counsel appearing for the defendants does not want to file any rejoinder to the said amendment petition. Application for amendment of the plaint is allowed. Let amended plaint be filed by 28.11.2014. Para 18 of the application shall be read as para 51, as prayed for. In order to expedite the hearing both parties shall file their amended pleading and proposed issues within one week.

Let this matter be listed on 17.12.2014.

We make take notice that in the order dated 14.10.2014 we had expressed our hope that the State of U.P. and Government of NCT of Delhi will sit together to explore the possibility to settle the dispute amicably.

Today Dr. A.M. Singhvi, learned senior counsel appearing for the State and Mr. P.P. Malhotra, learned senior counsel appearing on behalf of NCT, Delhi, submitted that the date be fixed so that the parties may sit together to try to settle the dispute. We fix the date of meeting, as jointly agreed, i.e. 8.12.2014. It is desirable that the meeting should be held at a very highest level so that the dispute could be settled.

On the subsequent date i.e. 17.12.2014, it was submitted by learned counsel that a meeting was held on 16.12.2014 between the Chief Minister of U.P. and the Lt. Governor of Delhi and pursuant to that meeting, follow up action has been taken.

Today, learned counsel appearing for the State of U.P. states that because of the formation of a new Government, it will be fit and proper to give one more adjournment to enable the Chief Minister of U.P. and the Chief Minister of Delhi to sit together and resolve the issue.

By way of last indulgence, we are giving six weeks'

time to come with a final settlement.

In view of the above, this matter is adjourned for six weeks."

Similar orders were passed on earlier occasion also for the meeting of the Chief Ministers of two States but the meeting could not take place on one pretext or the other.

By order dated 25.02.2015, as quoted hereinabove, this Court specifically directed both the Chief Minister of Uttar Pradesh and the Chief Minister of Delhi to sit together on the assurance given by the learned counsel appearing for the State of Uttar Pradesh and to resolve their disputes.

It is unfortunate that instead of two Chief Ministers sitting together, they have nominated their respective Chief Secretaries to sit and hold the meeting. Such conduct of the Chief Ministers flouting the orders of this Court, is deprecated.

However, we once again direct the Chief Minister of Uttar Pradesh and the Chief Minister of Delhi to sit together and resolve their disputes within two weeks from today, failing which this Court shall pass appropriate orders.

Let this matter come again on 06.05.2015.

(Sanjay Kumar-II)
Court Master

(Indu Pokhriyal)
Court Master