

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS
CIVIL APPEAL NO(s). 6177 OF 2004

HINDUSTAN PETROLEUM CORPN. LTD. Appellant (s)

VERSUS

DILBAHAR SINGH Respondent(s)

(With office report)

WITH

Civil Appeal NO. 6574 of 2004
(With office report)

Civil Appeal NO. 2162 of 2004
(With office report)

Civil Appeal NO. 2901 of 2006
(With office report)

Civil Appeal NO. 6954 of 2005
(With prayer for interim relief and office report)

Civil Appeal NO. 7520 of 2005
(With office report)

Civil Appeal NO. 5212 of 2006
(With appln (s) for exemption from filing O.T. and with office report)

Civil Appeal NO. 2859 of 2006
(With office report)

Civil Appeal NO. 3313 of 2007
(With office report)

Civil Appeal NO. 1224 of 2006
(With office report)

Civil Appeal No. 7066 of 2005

SLP(C) NO. 34303 of 2009
(With prayer for interim relief and office report)

....2/-

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Date: 10/11/2010 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE D.K. JAIN
HON'BLE MR. JUSTICE ASOK KUMAR GANGULY
HON'BLE MR. JUSTICE H.L. DATTU

For Appellant(s)
C.A. NO. 6177/04

Mr. Sudhir Chandra, Sr. Adv.
Mr. Parijat Sinha, Adv.
Ms. Reshmi Rea Sinha, Adv.
Mr. Anil Kr. Mishra, Adv.
Mr. S.C. Ghosh, Adv.
Mr. Bhagbati Pd. Padhy, Adv.
Mr. Vikram Ganguly, Adv.

C.A. No. 7520/05 Mr. A.T.M. Sampath, Adv.
C.A. No. 2162/04 Mr. K.K. Mani
Mr. Abhishek Krishna, Adv.
c.a. No. 1224/06 Mr. Prem Malhotra, Adv.
C.A. No. 6954/05 Mr. M.T. George, Adv.
C.A. No. 2901/06 Mr. Manoj Swarup, Adv.
C.A. NO. 5212/06 Mr. Shakil Ahmed Syed, Adv.
C.A. No. 6574/04 Mr. P. Vishwanatha Setty, Sr.Adv.
Mrs.D. Bharathi Reddy

C.A. 3313/07 Mr. Mahabir Singh, Sr. Adv.
Mr. Rakesh Dahiya, Adv.
Mr. Nikhil Jain, Adv.
Mr. Gagandeep Sharma, Adv.
Mr. D. Mahesh Babu, Adv.

C.A. NO. 2859/06 Mr. Pratap Venugopal, Adv.
Ms. Surekha Raman, Adv.
Ms. Namrata Sood, Adv.
For M/S. K.J. John & Co.

...3/-

:3:

SLP (C) No.34303/09 Mr. Jayant Muth Raj, Adv.
Mr. B. Raghunath, Adv.
Mr. Vijay Kumar, Adv.
Mr. Nishe Rajen Shonker, Adv.

C.A.No. 7066/05 Mr. A. Subba Rao, Adv.

For Respondent(s)
C.A. No. 6177/04 Mr. N.S. Dalal, Adv.
Mr. R.C. Kaushik, Adv.

C.A. No. 2859/06 Mr. A.T.M. Sampath, Adv.

r-2 in CA 2901/06 Mr. Deepak Chandna, Adv.
Mr. Mohan Pandey, Adv.
Mr. M.A. Krishna Moorthy, Adv.
Mr. Prem Malhotra, Adv.
Mrs.K. Sarada Devi, Adv.
Mr. A. Raghunath, Adv.
Mr. Vijay Kumar, Adv.

C.A. No. 5212/06 Mr. Romy Chacko, Adv.
Ms. Shalu Sharma, Adv.

C.A. NO. 6574/10 Mr. Arvind Verma, Sr. Adv.
Mr. Rahul Pratap, Adv.
Mr. Himanshu Bagdual, Adv.
For M/S. "Coac"

Mr. R.V. Rameshwaran, Adv.

RR - EX PARTE

C.A. NO. 7066/05

Mrs. D.V. Padma Priya, Adv.

...4/-

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

In terms of the signed order let the papers of these cases be laid before Hon'ble the Chief Justice of India for constituting a larger Bench.

(VINOD LAKHINA)
Court Master

(KUSUM GULATI)
Court Master

(SIGNED ORDER IS PLACED ON THE FILE)
IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.6177 OF 2004

HINDUSTAN PETROLEUM CORPN. LTD. ...APPELLANT

VERSUS

DILBAHAR SINGH ...RESPONDENT

[With C.A. Nos. 6574/2004, 2162/2004, 2901/2006, 6954/2005, 7520/2005, 5212/2006, 2859/2006, 3313/2007, 1224/2006, 7066/2005 and SLP (C) No.34303/2009]

ORDER

These matters have been placed before us by virtue of order dated 27th August, 2009. The relevant portion of the referral order reads as follows:

"From the above it is clear that there are conflicting views of coordinate three Judge Benches of this Court as to the meaning, ambit and scope of the expression 'legality and propriety' and whether in revisional jurisdiction the High Court can re-appreciate the evidence. Hence, we are of the view that the matter needs to be

considered by a larger bench since this question arises in a large number of cases as similar provisions conferring power of revision exists in various rent control and other legislations, e.g. Section 397 of the Code of Criminal Procedure. Accordingly, we direct that the papers be placed before Hon'ble the Chief Justice for constituting a large bench."

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In light of the afore-extracted order, let the papers of these cases be laid before Hon'ble the Chief Justice of India for constituting a larger Bench.

Ordered accordingly.

....., J.
(D.K. JAIN)

....., J.
(ASOK KUMAR GANGULY)

....., J.
(H.L. DATTU)

NEW DELHI
NOVEMBER 10, 2010