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SLP(C)No. 6928 OF 1999

ITEM No.1

Court No. 1

SECTION XI
A/N MATTER

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

I.A. Nos. 8, 12-13 & in
Petition(s) for Special Leave to Appeal (Civil) No.6928/1999
(From the judgement and order dated 08/10/1998 in CMWP 968/97
of The HIGH COURT OF JUDICATURE AT ALLAHABAD)

STATE OF U.P. & ORS

Petitioner (s)

VERSUS

JEET S. BISHT & ANR.

Respondent (s)

(for exemption from filing OT and appln. for taking affidavit on record and impleadment as respondent & directions and accepting suppl. affidavit and interim relief and with prayer for interim relief)

(along with the record of SLP(C) No. 4135/2002 and WP(C) No. 164/2002)

With

W.P(C)No.164/2002 (In re: The Implementation & the Working of Consumer Protection Act, 1986)
(for directions and to take on record addl. documents and permission to file additional documents and amendment of writ petition and exemption from filing English translation of Hindi version)

(for directions)

Date : 12/01/2005 These Petitions were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE G.P. MATHUR
HON'BLE MR. JUSTICE P.K. BALASUBRAMANYAN

For Petitioner (s)

in SLP Mr. Jatin Zaveri, Adv.
Mr. Pramod Dayal, Adv.
Mr. Ashok K. Srivastava, Adv.(NP)

NCDRC Bar Asson.

in WP 164/02 Mr. S K Sharma, Adv.
Mr. Ranji P Thomas, Adv.
Ms. Bharthi Upadhyaya, Adv.
Ms. C K Sucharita, Adv.
Mr. V N Raghupathy, Adv.

For Respondent (s)

Union of India Mr. N N Goswami, Sr. Adv.
Ms. B Sunita Rao, Adv.
Mr. Sushil Kumar Pathak, Adv.
Mr. B K Prasad, Adv.

State of Assam Ms. Krishna Sarma, Adv.
Mr. V K Sidharthan, Adv.
Mr. Atul Kumar, Adv.
for Corporate Law Group, Adv.

State of Arunachal Mr. Anil Shrivastav, Adv.

Pradesh

State of Andhra Ms. D Bharathi Reddy, Adv.
Pradesh Mr. Mr. B Vikas, Adv.

State of Bihar Ms. Sunita R Singh, Adv.
Mr. B B Singh, Adv.

State of Chhatisgarh Ms. Suparna Srivastava, Adv.
Mr. Rajesh Srivastava, Adv.
Ms. Deepti Singh, Adv.
Mr. Prakash Shrivastava, Adv. (NP)

NCT Delhi Mr. Ashok Bhan, Adv.
Ms. Kiran Bhardwaj, Adv.
Ms. Anil Katiyar, Adv.

UTs of Daman & Diu, Ms. Sunita Sharma, Adv.
Lakshadweep, Dadra & Nagar Mr. D S Mahra, Adv.
Haveli, Andaman &
Nicobar

State of Gujarat Ms. Hemantika Wahi, Adv.
Ms. Sadhana Sandhu, Adv.

State of Goa Ms. A Subhashini, Adv.

State of Haryana Mr. Vinay Kumar Garg, Adv.
Ms. Kavita Wadia, Adv. (NP)

State of Himachal Pradesh Mr. J S Attri, Addl. Adv. Genl.

State of J & K Mr. Altaf H Naiyak, Adv. Genl.
Mr. Anis Suhrawardy, Adv.

State of Jharkhand Mr. Rajesh Pathak, Adv.
Mr. Ashok Mathur, Adv.

State of Kerala Mr. K R Sasiprabhu, Adv.
Mr. John Mathew, Adv.
Ms. Indira, Adv.

State of Manipur Mr. KH Nobin Singh, Adv.

State of Mizoram Ms. Hemantika Wahi, Adv.
Ms. Sadhana Sandhu, Adv.

Mr. K N Madhusoodhanan, Adv.
Mr. R Sathish, Adv.

State of Maharashtra Mr. S S Shinde, Adv.
Mr. Mukesh K Giri, Adv.

State of Madhya Pradesh Mr. Sakesh Kumar, Adv.
Mr. Satish K Agnihotri, Adv.

State of Meghalaya Mr. Ranjan Mukherjee, Adv.

State of Nagaland Mr. Upamanyu Hazarika, Adv.
Mr. Satya Mitra, Adv.
Ms. Sumita Hazarika, Adv.

State of Orissa Mr. Janaranjan Das, Adv.
Mr. Swetaketu Mishra, Adv.
Ms. Moushumi Gahlot, Adv.

Govt of Pondicherry Mr. V G Pragasam, Adv.

State of Punjab Mr. R K Rathore, Addl. Adv. Genl.
Mr. Arun K Sinha, Adv.

State of Rajasthan Mr. Naveen Kumar Singh, Adv.
Ms. Shivangi, Adv..
for Mr. Aruneshwar Gupta, Addl. Adv. Genl.

State of Sikkim Mr. S P Wangdi, Adv. Genl.
Mr. Brijender Chahar, Adv.
Mr. Ashok Mathur, Adv.

State of Tripura Mr. Gopal Singh, Adv.
Mr. Anurag Sharma, Adv.
Mr. Rituraj Biswas, Adv.

State of Tamilnadu Mr. Abhay Kumar, Adv.
Mr. Gopalakrishnan, Adv.
Mr. Subramonium Prasad, Adv.

State of Uttaranchal Ms. Rachana Srivastava, Adv.

State of UP Mr. Sunil Gupta, Addl. Adv. Genl.
Mr. Jatin Zaveri, Adv.
Mr. Pramod Dayal, Adv.

State of W.B. Mr. Tara Chandra Sharma, Adv.
Ms. Neelam Sharma, Adv.

UT Chandigarh Ms. Kamini Jaiswal, Adv.
Mr. Saqib, Adv.

Applicant(s) in IAS 8, Ms. Shobha Dixit, Sr. Adv.
12-13, ... Mr. V P Sharma, Adv.
Mr. M P S Tomar, Adv.
Ms. Sandhya Goswami, Adv.
Ms. Malvika Trivedi, Adv.

Mr. B.V. Balaram Das, Adv. (NP)

Mr. N S Bisht, Adv. (NP)

Mr. V Sudeer, Adv.
Mr. Balaji Srinivasan, Mr. MBRS Raju,
Ms. S Sunita, Mr. S Sachin, Mr. J B Ravi,
Mr. Riju Raj Jamawal, Mr. M Salaja and
S. Srinivasan, Advs.

Mr. T V Ratnam, Adv. (NP)

Mr. Ashok K Srivastava, Adv. (NP)

Mr. Rajeev Sharma, Adv. (NP)

Mr. Sanjay R Hegde, Adv. (NP)

Mr. Javed Mahmud Rao, Adv. (NP)

Mr. Radha Shyam Jena, Adv. (NP)

Mr. J P Dhandu, Adv. (NP)

Ms. Revathy Raghavan, Adv. (NP)

Mr. V N Raghupathy, Adv. (NP)

Mr. T Mahipal, Adv.(NP)

Mr. Pallav Shishodia, Adv. (NP)

UPON hearing counsel the Court made the following
ORDER

Re: Consumer Fora in the State of Uttar Pradesh

As regards, non-finalising/non-acceptance of the recommendations made by the Selection Committee in its meeting held on 8-10th January, 2004, the learned counsel for the State of Uttar Pradesh has made available the original record of the proceedings. Let it be kept in a sealed cover. List for directions on 17th January, 2005 on this aspect.

So far as the amendment in Rule 9 is concerned, it is pointed out in the affidavit of Shri V.P . Singh, Joint Secretary, Food & Civil Supplies Department, Government of U.P. dated 8.10.2004 that the consideration for amendment is at its final stage. We direct the same to be finalised in six weeks from today and compliance affidavit to be filed along with the text of the Rule as amended.

Vide para 7.3 of the above-said affidavit dated 8.10.2004, it is stated that the State Government is finalising allotment of premises having an area of about 10000 sq.mts. and the proposal is pending with Lucknow Development Authority. We direct the Joint Secretary to pursue the proposal and apprise this Court of the latest status in six weeks.

So far as framing of Service Rules is concerned, Ms. Shobha Dixit, learned senior counsel points out that in the light of the objections taken on the proposed draft Service Rules referred to in para 7.6 of the above-said affidavit revised draft of Service Rules has been submitted.

Let a copy of the same be also brought on record of this Court within two weeks. The response in this regard may also be filed by the State in six weeks.

Re: Consumer Fora in the State of Tamil Nadu

Affidavit in terms of the order dated 13.10.2004 has not been filed within two weeks and not as yet. On prayer made by the learned counsel for the State of Tamil Nadu, it is directed that the same shall now be filed within a period of four weeks under copy to the other counsel.

WP(C) No. 164/2002

List after six weeks.

(D.P. Walia)
COURT MASTER

(Vijay Dhawan)
COURT MASTER