

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

RECORD OF PROCEEDINGS

WRIT PETITION (CIVIL) NO(s). 150 OF 1997

NOIDA ENTREPRENEURS ASSOCN.

Petitioner(s)

VERSUS

N O I D A & O R S

Respondent(s)

(With appln(s) for directions and permission and impleadment and c/delay and exemption from filing

O.T. and impleadment)

(For final disposal)

WITH W.P(C) NO. 529 of 1998

Date: 11/08/2006 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ARIJIT PASAYAT

HON'BLE MR. JUSTICE C.K.THAKKER

HON'BLE MR. JUSTICE LOKESHWAR SINGH PANTA

For Appearing parties:

Mr. Rajeev Dhawan, Sr. Adv. (A.C.)

Mr. Dayan Krishnan, Adv. (A.C.)

Mr. Nikhil Nayyar, Adv. (A.C.)

Mr. E.C. Vidya Sagar, Adv.

Ms. Manjula Gupta, Adv.

Mr. P. Parmeswaran ,Adv

Mr. Dipankar P.Gupta, Sr. Adv.

Mr. R.S. Suri ,Adv  
Mr. Vinay K., Adv.  
Mr. Ajay Dhaiya, Adv.  
Mr. Shivinder Diwedi, Adv.

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Mr. Rakesh Dwivedi, Sr. Adv.

Ms. Sangeeta Kumar ,Adv

Mr. Vijay Kumar, Adv.

Mr. Ashwani Garg, Adv.

Mr. Gaurav Liberhan, Adv.

Mr. K.T.S.Tulsi, Sr. Adv.

Mr. K.Sultan Singh, Adv.

Mr. Manish K.Sanyal, Adv.

Mr. M.S.Yadav, Adv.

Mr. Raj Kamal, Adv.

Mr. Abhishth Kumar ,Adv

Mr. Ashok H.Desai, Sr. Adv.

Mr. L.N.Rao, Sr. Adv.

Mr. Ravi Prakash Mehrotra, Adv.

Ms. Deepti R.Mehrotra, Adv.

Mr. Garvesh Kabra, Adv,

Mr. Ajay K.Agrawal, Adv.

Ms. Alka Agrawal, Adv.

Ms. Anamika Agrawal, Adv.

UPON hearing counsel the Court made the following

O R D E R

Since the basic issue is whether the decision of the State of U.P.  
to drop the

departmental proceedings which were admittedly initiated and kept in abeyance

awaiting report of C.B.I., the ultimate issue to be decided is whether there were

justifiable reasons for dropping the departmental proceedings. Copies of the entire

record relating to the departmental proceedings shall be filed within two weeks. All

documents directed to be filed shall be placed on record by 25th August, 2006.

Place these petitions for further hearing on 28th August, 2006.

During the course of hearing, it was brought to our notice by learned

Amicus-Curiae that S.L.P.(Crl.) No.1904 of 2006 (Neera Yadav Vs. Union of India &

Anr.) has bearing on the present case, as one of the points raised before Justice

Thomas Commission related to effect of Section 197 Cr.P.C. It

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is stated that the said case was being heard along with some other cases i.e. Criminal

Appeal No.801 of 2003 before a Bench presided over by Hon'ble Mr. Justice K.G.

Balakrishnan. We are informed, the Bench declined to hear the connected cases. The

Hon'ble Chief Justice may kindly consider whether S.L.P. (Crl.) No.1904 of 2006 can

be heard by this Bench in view of the accepted position that the same has bearing on

the controversy involved in the present case, and in fact direction was given in this case

for disposal of the case which was then pending before the Allahabad High Court.

The Registry to obtain necessary directions in this regard from Hon'ble the

Chief Justice of India.

(Shashi Sareen)

Court Master

(Vijay Aggarwal)

Court Master