

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

CIVIL APPEAL NO(s). 4421 OF 2004

KARNATAKA POWER CORPORATION LTD.

Appellant (s)

VERSUS

UNION OF INDIA & ANR.

Respondent(s)

(With office report)

Date: 23/09/2010 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MARKANDEY KATJU
HON'BLE MR. JUSTICE T.S. THAKUR

For Appellant(s) Mr. Altaf Ahmed, Sr. Adv.
 Mr. A.S. Bhasme, Adv.
 Mr. Brajesh Pandey, Adv.

For Respondent(s) Mr. Ashok Bhan, Adv.
 Ms. Padmalakshmi Nigam, Adv.
 Ms. Shweeta Verma, Adv.
 Mr. A.K. Sharma, Adv.
 Mr. D.S. Mahra, Adv.

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

The Appeal is disposed of in terms of the signed order.

(Rajesh Dham)
Court Master

(Indu Satija)
Court Master

(signed order is placed on the file)
IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

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O R D E R

Heard the learned counsel for the parties.

In this case, Karnataka Power Corporation Ltd. is the
appellant and the Union of India, Ministry of Railways and

General Manager, South Central Railways, Secunderabad are
respondent Nod. 1 and 2 respectively. The appellant and the
respondents herein are State under Article 12 of the
Constitution of India. In a large number of cases, this
Court has held that such matters should go before a
Committee referred to in para 9 of the judgment of this
Court in Oil & Natural Gas Corpn. Ltd. Vs. City &
Industrial Development Corporation, Maharashtra Ltd. and
Ors. (2007) 7 SCC 39, which reads thus :-

".....Considering the nature of the controversy
which is a recurring feature we direct that a
committee be formed to sort out the differences
between the Central Government and the State
Government entities. The composition of such
committee shall be as follows :

- (1) The Cabinet Secretary of the Union;
 - (2) Chief Secretary of the State;
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- (3) Secretaries of the departments concerned
of the Union and the States; and
- (4) Chief Executive Officers of the
undertakings concerned."

We direct that the dispute involved in this case be
referred to the aforesaid committee. The committee shall
dispose of the matter expeditiously. We further direct
that if the matter is not resolved by the committee, the
appellant shall be at liberty to have the matter revived.

With these observations, the Appeal is disposed of. No
costs.

.....J
(MARKANDEY KATJU)

.....J.
(T.S. THAKUR)