

ITEM NO.15

COURT NO.1

SECTION X

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

Writ Petition(s) (Civil) No(s). 85/2007

F.U. CHAUDHARY

Petitioner(s)

VERSUS

UNION OF INDIA &amp; ORS.

Respondent(s)

(office report)

Date : 23/02/2015 This petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE A.K. SIKRIFor Petitioner(s) Mr.S.N.Jha, Sr.Adv.  
Mr.Helal Choudhury, Adv.  
Dr. Nafis A. Siddiqui,Adv.

For Respondent(s)

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

The prayer in this Writ Petition reads as follows :

"a) Issue a Writ/s, order/s or direction/s in the nature of quo-warranto declaring that the Central Empowered Committee is Coram non-judice and has no authority whatsoever to exercise quasi judicial function or act as a tribunal;

b) issue any writ/s, order/s or direction/s in the nature of certiorari quashing the order dated 01.12.2006;

c) issue any writ/s, order/s or direction/s in the nature of mandamus directing Special Investigation Team to restore to the petitioner the sale amount of his timber, which has been illegally confiscated and sold by respondent no.6.

d) direct the respondent no.1 and respondent no.6 to pay to the petitioner the price of the legal timber which has been illegally confiscated and sold by respondent no.6 along with interest at the bank rate.

e) direct the Central Vigilance Commission to institute an enquiry into the sale/auction of seized timber by the SIT and the use to which the money so obtained was put to....."

Shri A.D.N. Rao, learned counsel appearing for Respondent No.5- Special Investigation Team would inform us that during the pendency of this Writ Petition, the respondents have not only confiscated but auctioned the timber.

In that view of the matter, nothing survives in this Writ Petition for our consideration and decision. Therefore, the Writ Petition is disposed of as having become infructuous.

If, for any reason, the petitioner is of the view that the timber ought not to have been confiscated and auctioned by the respondents, they are at liberty to resort to an appropriate remedy by filing appropriate petition(s) before appropriate forum in accordance with law including the law of limitation.

Ordered accordingly.

(G.V.Ramana)  
Court Master

(Vinod Kulvi)  
Asstt.Registrar