

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).10866-10867/2010

M.SIDDIQ (D) THR. LRS.

Appellant(s)

VERSUS

MAHANT SURESH DAS AND ORS. ETC.

Respondent(s)

([TO BE HEARD BY HON'BLE THE CHIEF JUSTICE , HON'BLE ASHOK
BHUSHAN AND HON'BLE S. ABDUL NAZEER, JJ. AT 2.00 P.M.])

WITH

[ITEM NO.301.1 - C.A. No.4768-4771/2011 (III-A)];
[ITEM NO.301.2 - C.A. No. 2636/2011 (III-A)];
[ITEM NO.301.3 - C.A. No. 821/2011 (III-A)];
[ITEM NO.301.4 - C.A. No. 4739/2011 (III-A)];
[ITEM NO.301.5 - C.A. No.4905-4908/2011 (III-A)];
[ITEM NO.301.6 - C.A. No. 2215/2011 (III-A)];
[ITEM NO.301.7 - C.A. No. 4740/2011 (III-A)];
[ITEM NO.301.8 - C.A. No. 2894/2011 (III-A)];
[ITEM NO.301.9 - C.A. No. 6965/2011 (III-A)];
[ITEM NO.301.10 - C.A. No. 4192/2011 (III-A)];
[ITEM NO.301.11 - C.A. No. 5498/2011 (III-A)];
[ITEM NO.301.12 - C.A. No. 7226/2011 (III-A)];
[ITEM NO.301.13 - C.A. No. 8096/2011 (III-A)].

Date : 27-04-2018 These appeals were called on for hearing
today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE ASHOK BHUSHAN
HON'BLE MR. JUSTICE S. ABDUL NAZEER

For Appellant(s) Mr. Raju Ramachandran, Sr. Adv.
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& for R-23 in Mr. Shahid Nadeem Ansari, Adv.
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Ms. Akriti Chaubey, Adv.
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Mr. Kunwar Aditya Singh, Adv.
Mr. Ishwar Mohanty, Adv.

- Ms. Hamsini Shankar, Adv.
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Mr. P.K. Singh, Adv.
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Mr. Monis Abbasi, Adv.
Mr. Niaz Ahmad Farooqui, Adv.
Mr. Pulkit Chandra, Adv.
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Mr. D. Bharat Kumar, Adv.
Mr. Yash Mishra, Adv.
Mr. Ankit Raj, Adv.
Ms. Indira Bhakhar, Adv.
Mr. Rajesh Singh, Adv.
Mr. Santosh Kumar, Adv.
Mr. T. Bhaskar Gowtham, Adv.
Ms. Ruchi Kohli, Adv. [AOR]
- CA Nos.2894/11 & Mr. Zafaryab Zilani, Adv.
7226/11 Mr. M.R. Shamshad, Adv. [AOR]
Mr. Nizam Pasha, Adv.
Mr. Aditya Samaddar, Adv.
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& for R-18 in Ms. Ranjana Agnihotri, Adv.
CA 10866-67/11 Ms. Sangeeta Mandal, Adv.
& R-16 in Ms. Mamta Tewari, Adv.
CA 821/11 Mr. Aranya Moulick, Adv.
Ms. Sukanya Basu, Adv.
Mr. Tushar Bhatnagar, Adv.
Mr. Vinayak Kapur, Adv.
Ms. Richi Sharma, Adv.
for
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Mr. Y. Lokesh, Adv.
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Mr. Prabhas Bajaj, Adv.
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Mr. Shantanu, Adv.
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Mr. Jugal Kishor Gupta, Adv.
Ms. Rachana Gandhi, Adv.
Ms. Ruma Pathak, Adv.
Mr. Rahul Sharma, Adv.

Mr. Hari Nath, Sr. Adv.
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Mr. Gaurav Dhingra, Adv.
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Mr. Md. Shahid Anwar, Adv. [AOR]

Mr. Fuzail Ahmad Ayyubi, Adv. [AOR]
Mr. Varun Mishra, Adv.

Ms. Swarupama Chaturvedi, Adv. [AOR]
Mr. Anish Kumar Gupta, Adv.
Mr. B.N. Dubey, Adv.
Ms. Devika Gulati, Adv.
Mr. Kumar Gaurav, Adv.
Mr. Robin Khokhar, Adv.
Mr. Ayush Anand, Adv.
Mr. Shubhandu Anand, Adv.
Ms. Shruti Agarwal, Adv.

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Mr. Ravindra Lokhande, Adv.
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Mr. Bharat Sood, Adv.
Mr. Chanddra Shekhar Suman, Adv.
Mr. R.K. Rajvanshi, Adv.
Mr. harshvardhan Singh Rathore, Adv.
Mr. Nachiketa Joshi, Adv. [AOR]

Mr. Syed Mehdi Imam, Adv. [AOR]
Mrs. Shamama Anis, Adv.
Mr. Tabrez Ahmed, Adv.
Mr. Atif Suhrawardy, Adv.
Mr. Tashriq Ahmed, Adv.
Mrs. Farzeen Iqbal, Adv.
Mr. Omar Siddiqui, Adv.
Md. Noorullah, Adv.
Mr. Ehtesham Hashmi, Adv.
Md. Mansoor Ali, Adv.

Mr. Barun Kumar Sinha, Adv.
Mrs. Pratibha Sinha, Adv.
Mr. Birender Kumar Choudhary, Adv.
Mr. Arun Kumar, Adv.
Mr. Aditya Sharma, Adv.
Mr. B.K. Satija, Adv.

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Mr. Bhavanishankar V. Gadnis, Adv.
Mr. Ashok Shrivastava, Adv.

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

On 06.04.2018, this Court in C.A.Nos.10866-10867 of 2010 and connected appeals passed the following order :

"Dr. Rajeev Dhawan, learned senior counsel appearing for the appellants in Civil Appeal Nos.10866-10867 of 2010 continued his arguments for referring the decision in Dr. M. Ismail Faruqui and Others v. Union of India and Others (1994) 6 SCC 360 to a larger Bench, which remained inconclusive."

In pursuance of the aforesaid order, the matter has been placed today. It is submitted by Mr. Raju Ramachandran, learned senior counsel appearing for the appellants in the abovementioned appeals that Dr. Rajeev Dhawan is unwell and has not come to Court today. He would further state that he has taken leave of Dr. Dhawan to argue his facet of the argument which pertains to reference of the civil appeals to a larger Bench regard being had to the importance of the matter.

In view of the aforesaid, the argument continued. In the course of argument, Mr. Raju Ramachandran, learned senior counsel filed his written note of submission and also a compilation of judgments.

On behalf of the respondents, Mr. K. Parasaran, learned senior counsel, Mr. Harish Salve, learned senior counsel and Mr. S.K. Jain, learned senior counsel advanced their arguments.

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This part of the argument stands concluded. The other aspect of the argument which had commenced by Dr. Dhawan and remained inconclusive shall be heard at 02:00 p.m. on 15.05.2018.

Call on the date fixed.

(Subhash Chander)
AR-cum-PS

(H.S. Parasher)
Assistant Registrar