

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

I.A. No. 6 in CIVIL APPEAL NO(s). 1198 OF 2005

R.S. POTDAR & ORS.

Appellant (s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(For impleadment and appropriate orders/directions)

WITH W.P(C) NO. 385 of 2010

(With appln. for ex-parte stay and office report)

Date: 13/12/2010 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ALTAMAS KABIR
HON'BLE MR. JUSTICE CYRIAC JOSEPH

For Appellant(s) Mr. A.K. Ganguli, Sr.Adv.
Mr. J.K. Das, Sr.Adv.
Mr. S.K. Das, Adv.
Mr. Parmanand Gaur, Adv.

Mr. Sibom Sankar Mishra

For Respondent(s)

Mr. Lakshmi Raman Singh, Adv.

Mr. R.P. Bhat, Sr.Adv.
Mr. Ashok Bhan, Adv.
Mr. Shalender Saini, Adv.
Mr. B. Krishna Prasad, Adv.

Mr. Jitendra Mohan Sharma, Adv.

UPON hearing counsel the Court made the following

O R D E R

Issue notice in Writ Petition (Civil) No. 385/2010.

Dasti service, in addition, is permitted.

Let it be recorded that Mr. B.K.Prasad, learned counsel, accepts notice in the Writ Petition on behalf of the respondents.

Contd..

- 2 -

Since the respondents are being represented in Civil Appeal No. 1198/2005, which is being taken up along with the Writ Petition, service of notice on the respondents in the Writ Petition is dispensed with. Let both the matters be listed on Wednesday (15th December, 2010) on the top of the list to enable Mr. Bhat, learned senior counsel appearing for the Union of India and its authorities, to take instructions with regard to the submissions made relating to disposal of both the matters with a direction to the Union of India to take a final decision on the proposal to amend and/or alter the

ratio relating to promotions to the post of Assistant Commissioner (Customs and Excise).
take instructions with regard to the prayer for interim relief made as to whether promotions, in the meantime, should be stayed or whether promotions made, if any, would be subject to the result of the Writ Petition or subject to the decision taken by the Union of India.

Mr. Bhat may also

Mr. Ganguli, learned senior counsel appearing for the appellants in Civil Appeal No. 1198/2005 has produced before us a communication dated 25th November, 2010, addressed by the Deputy Director and CPIO, Department of Revenue, Ministry of Finance, Government of India, addressed to Mr. Satyapal Dudeja, Superintendent of Customs (P), in which indication has been given that the matter is under consideration. The appellants are directed to place the said letter on record by way of an affidavit.

(Anita Malhotra)
Sr.PA

(Juginder Kaur)
Court Master