

ITEM NO.106

COURT NO.2

SECTION IX

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

Petition(s) for Special Leave to Appeal (C) No(s). 7734/1997

(Arising out of impugned final judgment and order dated 02/12/1996 in WP No. 2456/1996,02/12/1996 in WP No. 2456/1996 passed by the High Court Of Bombay)

CENTER OF INDIAN TRADE UNION

Petitioner(s)

VERSUS

STATE OF MAHARASHTRA

Respondent(s)

(With appln.(s) for exemption from filing c/c of the impugned judgment and permission to submit additional documents(s))  
(Alongwith paper books of SLP(C)No.10933 of 1997 for reference)

Date : 30/04/2015 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE T.S. THAKUR  
HON'BLE MR. JUSTICE R.K. AGRAWAL  
HON'BLE MRS. JUSTICE R. BANUMATHI

Mr. R. Venkataramani, Sr. Adv. (A.C.) (N.P.)  
Mr. Rajeev Dhawan, Sr. Adv. (A.C.) (N.P.)

For Petitioner(s) Mr. Rohit Kr. Singh, Adv.  
Ms. Shilpi Dey, Adv.  
Ms. Kamini Jaiswal, AOR

For Respondent(s) Mr. Maninder Singh, ASG  
U.O.I. Mr. Wasim Quadri, Adv.  
Ms. Kiran Bhardwaj, Adv.  
Mr. B. K. Prasad, Adv.

St. of Maharashtra Mr. Kunal A. Cheema, Adv.  
Mr. Nishant Katneswarkar, Adv.  
Mr. Aniruddha P. Mayee, Adv.

UPON hearing the counsel the Court made the following

O R D E R

Heard.

When the matter came up before us on 18<sup>th</sup> February, 2015, counsel for the State of Maharashtra submitted that the proceedings before the one-man enquiry commission headed by

Justice S.P. Kurdukar, Former Judge of this Court, had been stayed in Original Suit No.2 of 2003 filed by Union of India against the State of Maharashtra. It was further pointed out that since the said suit has now been dismissed, the interim order passed in the same stood vacated thereby making it possible for Justice Kurdukar to resume the proceedings. The matter was adjourned to enable learned counsel to take instructions whether Justice Kurdukar is willing to resume the proceedings, if so, whether the Commission has been provided with the necessary infrastructure and wherewithal for the completion of the proceedings.

When the matter came up today for hearing learned counsel for the State of Maharashtra submits that according to his instructions Justice Kurdukar has on telephone conveyed that since the Project now stands taken over by a Special Purpose Vehicel (SPV) under the Central Government, it is for the Central Government to eventually decide whether the Commission of Enquiry should go on.

We have in that view requested Mr. Maninder Singh, learned Additional Solicitor General, to appear on behalf of the Union of India and assist us in the matter. Mr. Maninder Singh seeks a week's time to take instructions in the matter.

Post after ensuing summer vacation. Needful shall be done in the meantime.

(MAHABIR SINGH)  
COURT MASTER

(VEENA KHERA)  
COURT MASTER