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SLP(C)No. 7734 OF 1997

ITEM No.111

Court No. 1

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

Special Leave Petition (Civil) No. 7734 of 1997

Center of Indian Trade Union

...Petitioner(s)

vs.

State of Maharashtra

...Respondent(s)

(with appln.(s) for exemption from filing c/c of the impugned judgment and permission to submit additional document(s) and modification of court's order dated 2.5.1997)
(alongwith paperbooks of SLP(C) No. 10933/97 for reference)

Date: 28/07/2004 This/These matter(s) was/were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE G.P. MATHUR

HON'BLE MR. JUSTICE C.K. THAKKER

Amicus CuriaeDr. Rajeev Dhawan, Sr. Adv.
Mr. R Venkataramani, Sr. Adv.

For Petitioner (s)Mr. Prashant Bhushan, Adv.
Ms. Kamini Jaiswal, Adv.

For Respondent (s)Mr. T R Andhyarujina, Sr. Adv.
Mr. S S Shinde, Adv.
Mr. Mukesh K Giri, Adv.

Mr. E C Agrawala, Adv.(NP)

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

Dr. Rajeev Dhavan, learned senior counsel appearing as Amicus Curiae in the case invites attention of the Court to the order dated 2.5.1997 and I.A. No. 3 filed on 1.9.1999. It is submitted by him that pursuant to the order dated 2.5.1997, this petition was being heard as a public interest litigation; and, as the principal issue arising for decision was to determine the question of accountability of the State of Maharashtra/its officials, the hearing was proceeding

only against them and all other parties impleaded in the petition were discharged. During the pendency of this petition, there have been several significant developments and subsequent events having far-reaching implications. A report by Comptroller and Auditor General (CAG) dated April 1998, and report dated 10.4.2001 by Godbole Committee appointed by the State of Maharashtra in exercise of its executive power, are available. The report of Godbole Committee and the relevant extracts from the report of CAG have been brought on the record of this case. By I.A. No. 3, the learned Amicus Curiae has invited the attention of the Court to the need for modifying the order dated 2.5.1997 and the parties originally impleaded in the petition being restored as parties and being noticed. In order to consider that application, it will be necessary to notice the parties originally impleaded as respondents, excepting respondent No. 5 for the present.

After hearing the learned senior counsel for the State of Maharashtra present before us, it is directed that let notice of I.A. No. 3 go to respondents Nos. 1, 3, 4, 6 and 7 for filing response to I.A. No. 3 and hearing thereon. As prayed, dasti service, in addition, is permitted.

The learned Amicus Curiae is allowed liberty of filing a fresh List of Dates & Events and a list of documents which would now be necessary for being referred to at the time of hearing so that a separate compilation of relevant documents, including those already available on record and those which may need to be brought on record now, is prepared.

List after the service is complete.

(D.P. WALIA)
COURT MASTER

(RADHA R. BHATIA)
COURT MASTER