

ITEM NO.5

COURT NO.8

SECTION X

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

Writ Petition(s)(Civil) No(s). 188/2004

M/S. RAIGANJ CONSUMER FORUM

Petitioner(s)

VERSUS

UNION OF INDIA . & ORS.

Respondent(s)

([ONLY I.A. NOS. 141055, 141059, 167937, 87335, 167941 OF 2018 AND 80958, 143211 OF 2021 IN T.C. (C) NO.2 OF 2004, I.A. NOS. 75467 OF 2020 IN W.P.(C) NO.188 OF 2004 AND C.A. NO.3134-37 OF 2017 IS LISTED.]

IA No. 75467/2020 - APPROPRIATE ORDERS/DIRECTIONS)

WITH

T.C.(C) No. 2/2004 (XVI-A)

(FOR APPROPRIATE ORDERS/DIRECTIONS ON IA 79102/2020

FOR APPLICATION FOR PERMISSION ON IA 80258/2020

FOR APPROPRIATE ORDERS/DIRECTIONS ON IA 80260/2020

FOR EXEMPTION FROM FILING AFFIDAVIT ON IA 80264/2020

FOR APPROPRIATE ORDERS/DIRECTIONS ON IA 42747/2021

FOR INTERVENTION APPLICATION ON IA 147184/2021

FOR EXEMPTION FROM FILING O.T. ON IA 147185/2021

FOR APPROPRIATE ORDERS/DIRECTIONS ON IA 147187/2021

FOR EXEMPTION FROM FILING O.T. ON IA 147188/2021

FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA 158706/2021

FOR APPROPRIATE ORDERS/DIRECTIONS ON IA 62749/2022

IA No. 80258/2020 - APPLICATION FOR PERMISSION

IA No. 79102/2020 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 147187/2021 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 42747/2021 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 80260/2020 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 62749/2022 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 80264/2020 - EXEMPTION FROM FILING AFFIDAVIT

IA No. 147188/2021 - EXEMPTION FROM FILING O.T.

IA No. 147185/2021 - EXEMPTION FROM FILING O.T.

IA No. 147184/2021 - INTERVENTION APPLICATION

IA No. 158706/2021 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

C.A. No. 3134-3137/2016 (IV)

Date : 14-02-2023 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.R. GAVAI

HON'BLE MR. JUSTICE C.T. RAVIKUMAR

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For Respondent(s)

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Mr. Subhasish Bhowmick, AOR

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

I.A. Nos.84589 & 84594 of 2022 in W.P.(C) NO.188/2004

Learned counsel for the applicant(s) seeks permission to withdraw these applications and sent a communication in this regard.

Permission is granted.

The applications are, accordingly, disposed of as withdrawn.

I.A. NOS.141055, 141059, 167937, 87335, 167941 OF 2018 AND 80958, 143211 OF 2021 IN T.C.(C) NO.2 OF 2004, I.A. NOS.75467, 112751 OF 2020 AND 33106 OF 2019 IN W.P.(C) NO.188 OF 2004 AND C.A. NOS.3134-

Vide order dated 18.10.2022, this Court had directed the Committee to upload all the documents and other material, which the Committee wants to rely, on the website of the Committee. The Court had further clarified that parties would be at liberty to have access and download the documents/applications.

Vide subsequent order dated 24.01.2023, this Court had directed that I.A. Nos. 141055, 141059, 167937, 87335, 167941 of 2018 and 80958, 143211 of 2021 in T.C.(C.) No. 2 of 2004, I.A. Nos. 75467 of 2020 in W.P.(C) No.188 of 2004 and C.A. No. 3134-37 of 2017 to be listed on 07.02.2023.

These applications were listed on 07.02.2023 and were adjourned for today i.e. 14.02.2023.

Smt. Suruchi Agarwal, learned Senior Counsel (Amicus Curiae) submits that all these applications have already been uploaded on the website of the Committee. However, it is seriously disputed by Smt. Meenakshi Arora, learned senior counsel appearing for some of the parties and Shri Jatinder Kumar Sethi, Dy. A.G., appearing for the State of Uttrakhand.

It is submitted by Smt. Meenakshi Arora that though the Advocate-on-Record, briefing her, had already sought the copies of these applications by a written communication to the Advocate on Record for the Committee, the Advocate on Record for the Committee did not supply the copies of these documents. Again this position is disputed by Smt. Agarwal, learned counsel appearing on behalf of the Committee.

We would like to decide the dispute between the parties, rather than deciding the question as to whether the Advocates-on-Record for the parties have exchanged the documents or not.

In all fairness, the Committee should ensure that all the applications which are likely to be listed before this Court should be uploaded along with all the necessary documents, at least a week prior to the date on which the matter is likely to be heard.

We clarify that we will take up the matters only after they are uploaded on the website of the Committee.

We, therefore, direct all these applications be posted on 28.02.2023. All the I.As alongwith documents should be uploaded by 21.02.2023.

Since, we have specifically directed everything to be uploaded, we find that it will not be necessary for the Advocates on Records to exchange pleasantries between them.

I.A. Nos.145178/2019 and 131614/2020 and I.A. No.42747 of 2021 in T.C. (C) No.2/2004 and Contempt Petition No.942 of 2021 in T.C. (C) No.2/2004 shall also be listed on that day.

(NARENDRA PRASAD)
ASTT. REGISTRAR-cum-PS

(ANJU KAPOOR)
COURT MASTER (NSH)