

O# 1

ITEM NO.2 COURT NO.11 SECTION IVA

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

R.P.(C)No.810/2006 In C.A.No.6362/2001

UNION OF INDIA Petitioner(s)

VERSUS

PILLAMMA & ORS. Respondent(s)

(With appln(s) for stay and c/delay in filing review petition and
c/delay in filing process fee and office report)
WITH R.P.(C) NO. 793 of 2006 In C.A.No.6363/2001
(With office report)
R.P.(C) NO. 794 of 2006 In C.A.No.6364/2001
(With appln.(s) for c/delay in filing review petition and stay and
office report)
R.P.(C) NO. 795 of 2006 In C.A.No.6365/2001
(With appln.(s) for c/delay in filing review petition and stay and
office report)
R.P.(C) NO. 796 of 2006 In C.A.No.6366/2001
(With appln.(s) for c/delay in filing review petition and stay and
office report)
R.P.(C) NO. 797 of 2006 In C.A.No.6368/2001
(With appln.(s) for c/delay in filing review petition and stay and
office report)
R.P.(C) NO. 804 of 2006 In C.A.No.6367/2001
(With appln.(s) for c/delay in filing review petition and stay and
office report)

Date: 07/07/2010 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI
HON'BLE MR. JUSTICE ASOK KUMAR GANGULY

For Petitioner (s) Mr. Mohan Jain,A.S.G.
Ms. Rohini Mukherjee,Adv.
Mrs. Jaspreet Aulakh,Adv.
Mr. D.K. Thakur,Adv.
Mr. S. Wasim A. Qadri,Adv.
Mrs. Anil Katiyar,A.O.R.
Mrs. Rekha Pandey,Adv.
Mr. R. Bastion,Adv.

For Respondent (s) Mr. S.K. Kulkarani,Adv.
Mr. M. Gireesh Kumar,Adv.
For Mr. Vijay Kumar,A.O.R.

2

Mr. Pallav Shishodia,Sr.Adv.
Mr. Rajiv Rufus,Adv.
Mr. Ranjit K. Singh,Adv.
For Mr. A.G. Sharma,A.O.R.

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

At page G of the list of dates, the review petitioner has made
the following assertions:-

"(i) There has been a grave miscarriage of justice and violation of natural justice. The direction referred to above has been passed without affording an opportunity of hearing to the review petitioner to express its views."

Lt. Col. MG Thimmaya, Estate Manager, Estate Management Unit, DRDO, Bangalore, who has sworn affidavit in support of the review petition has, in para 2 thereof averred that the statement contained in the list of dates (B-I), Review Petition (contained paras 1 to 15) from pages 13 to 33 and applications for condonation of delay and stay are true and correct and with reference thereto say that what is stated is true and correct on the basis of information derived from the record of the case.

The record of the case shows that the civil appeal was disposed of by the court after hearing the counsel for the parties including the learned Additional Solicitor General, who was representing the Union of India. Therefore, the assertion contained in the list of dates that the case was disposed of without affording an opportunity of hearing to the review

3

petitioner prima facie appears to be false. However, with a view to give one opportunity to the review petitioner to explain the position, we deem it proper to adjourn the case by two days with the direction that the relevant records of the case be kept ready for the perusal of the Court.

List on 9.7.2010.

(Satish K.Yadav)
Court Master

(Phoolan Wati Arora)
Court Master