

ITEM NO.24 + 53

COURT NO.7

SECTION IVA

## S U P R E M E C O U R T O F I N D I A

## RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).4185/2007

(From the judgement and order dated 21/02/2007 in WP No. 6410/2006 of  
The HIGH COURT OF KARNATAKA AT BANGALORE)

S.P. KRISHNAPPA &amp; ORS.

Petitioner(s)

VERSUS

SECY., DEPTT. OF REVENUE &amp; ORS.

Respondent(s)

(With prayer for interim relief and office report )

WITH SLP(C) NO. 4186 of 2007

(With appln(s) for exemption from filing c/c of the impugned judgment and with  
prayer for interim relief and office report)

SLP(C) NO. 5060 of 2007

(With appln(s) for exemption from filing c/c of the impugned judgment and with  
prayer for interim relief and office report)

SLP(C) NO. 5061 of 2007

(With appln(s) for exemption from filing c/c of the impugned judgment and with  
prayer for interim relief and office report)

SLP(C) NO. 5077 of 2007

(With appln(s) for exemption from filing c/c of the impugned judgment and with  
prayer for interim relief and office report)

SLP(C) NO. 5160 of 2007

(With appln(s) for exemption from filing c/c of the impugned judgment and with  
prayer for interim relief and office report)

Date: 16/03/2007 These Petitions were called on for hearing today.

CORAM :

HON'BLE Dr. JUSTICE AR. LAKSHMANAN

HON'BLE MR. JUSTICE ALTAMAS KABIR

For Petitioner(s)                    Dr. Rajeev Dhavan, Sr. Adv.  
    Mr. Mahabir Singh, Sr. Adv.  
    Mr. M.E. Prabhu, Adv.  
    Mr. Nikhil Jain, Adv.  
    Mr. Gagandeep Sharma, Adv.  
    Mr. Ajay Pal, Adv.

For Respondent(s)                    Mr. P. Vishwanatha Shetty, Sr. Adv.  
    Mr. K.K. Venugopal, Sr. Adv.  
    Mr. Shashi Kiran Shetty, Adv.  
    Ms. Deepika Shetty, Adv.  
    Mr. S.D.S. Thakur, Adv.  
    Dr. Sushil Balwada, Adv.  
    Mr. S.J. Aristotle, Adv.  
    Mr. Sharan, Thakur, Adv.  
    Mr. Sreenivas, Adv.

UPON hearing counsel the Court made the following

O R D E R

Heard Dr. Rajeev Dhavan and Mr. Mahabir Singh, learned Senior Counsel for the petitioners and Mr. P. Vishwanatha Shetty and Mr. K.K. Venugopal, learned Senior Counsel for the respondents.

This Court in SLP(C) No.19527/06 passed the following order on 4.12.2006 in the presence of the both parties ordering that status quo shall be maintained by the both parties.

2

"We have heard Mr. Soli J. Sorabjee and Mr. Mukul Rohtagi, learned senior counsel appearing on behalf of the petitioners and Mr. K.K. Venugopal and Mr. P. Vishwanatha Shetty, learned senior counsel for the respondents.

The High Court, by the impugned order, have clearly stated that whatever expression they have made in the course

of the impugned order is only for the purpose of disposing of the application filed by the respondents therein for vacating the stay and that would not come in the way of the High Court while deciding the Writ Petitions and Writ Appeals on merits. The High Court by the said order posted the Writ Petitions and the Writ Appeals for final hearing in the week commencing from 1st of December, 2006. It is stated that the matters were not taken up for hearing on 01.12.2006. Since some urgency is expressed by both sides, we request the High Court to take up the Writ Petitions and the Writ Appeals and dispose of the same on priority basis before the Court closes for Christmas Holidays.

In the meanwhile, status quo shall be maintained by the both parties.

Both parties will not ask for any adjournment before the High Court.

The Special Leave Petitions stand disposed of accordingly.

The Registry is directed to send a copy of this Order to the High Court for information and further action."

On 2.3.2007, upon being mentioned, this Court in SLP(C)

Nos.4185/07 & 4186/07 passed the following order:

"Post on 16th March, 2007.

Interim order granted by this Court on 4.12.2006 in S.L.P. (C) No.19527 of 2006 shall apply to this petition also and will continue till 16.3.2007.

We also record that the counsel for the respondents submits that the respondents are in possession."

After hearing both parties today, we order issuance of notice

and also order status quo until further orders. Interim order dated 2.3.2007 passed in SLP(C)Nos.4185/07 & 4186/07 shall continue till the disposal of these special leave petitions. Four weeks' time is granted for filing counter affidavit. Rejoinder, if any, be filed within four weeks thereafter.

( A.D. Sharma )  
Court Master

( Phoolan Wati Arora )  
Court Master