

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

RECORD OF PROCEEDINGS

CIVIL APPEAL NO.6987 OF 1999

CEMENT CORPN. OF INDIA LTD.

Appellant (s)

VERSUS

GOPY & ORS.

Respondent(s)

(With prayer for interim relief and office report)

[With I.A. No.2/2004 - Appln. for permission to file the statement of objection]

Civil Appeal No.10090 of 2003

(With office report)

Civil Appeal No.10103 of 2003

(With office report)

Civil Appeal No.10105 of 2003

(With office report)

Civil Appeal No.3599 of 2003

(With office report)

Civil Appeal No.9779 of 2003

(With office report)

Civil Appeal No.9781 of 2003

(With office report)

Civil Appeal No.9782 of 2003

(With office report)

Civil Appeal Nos.9783-9784 of 2003

(With office report)

Civil Appeal No.9785 of 2003

(With office report)

Civil Appeal No.9786 of 2003

(With office report)

Civil Appeal Nos.9787-9791 of 2003

(With office report)

Civil Appeal Nos.9792-9798 of 2003

(With office report)

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Civil Appeal No.9799 of 2003

(With office report)

Civil Appeal Nos.9800-9801 of 2003

(With office report)

Civil Appeal No.9802 of 2003

(With office report)

Civil Appeal No.9803 of 2003

(With office report)

Civil Appeal Nos.9804-9805 of 2003

(With office report)

Civil Appeal Nos.9806-9807 of 2003

(With office report)

Civil Appeal No.9808 of 2003

(With office report)

Civil Appeal Nos.9809-9810 of 2003

(With office report)

Civil Appeal Nos.9811-9812 of 2003

(With office report)

Civil Appeal Nos.9813-9814 of 2003

(With office report)

Civil Appeal Nos.9815-9816 of 2003

(With office report)

Civil Appeal No.9817 of 2003

(With office report)

Civil Appeal No.9818 of 2003

(With office report)

Civil Appeal No.9820 of 2003

(With office report)

Civil Appeal Nos.9821-9822 of 2003

(With office report)

Civil Appeal No.9823 of 2003

(With office report)

Civil Appeal No.9824 of 2003

(With office report)

Civil Appeal No.9825 of 2003

(With office report)

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Civil Appeal No.9826 of 2003

(With office report)

Civil Appeal No.9827 of 2003

(With office report)

Civil Appeal No.9828 of 2003

(With office report)

Civil Appeal No.9829 of 2003

(With office report)

Civil Appeal No.9830 of 2003

(With office report)

Civil Appeal No.9831 of 2003

(With office report)

Civil Appeal No.9832 of 2003

(With office report)

Civil Appeal Nos.9833-9834 of 2003

(With office report)

Civil Appeal No.9835 of 2003

(With office report)

Civil Appeal Nos.9836-9837 of 2003

(With office report)

Civil Appeal No.9838 of 2003

(With office report)

Civil Appeal No.9839 of 2003

(With office report)

Civil Appeal No.9840 of 2003

(With office report)

CIVIL Appeal Nos.9842-9843 of 2003

(With office report)

Civil Appeal No. 9846 of 2003

(With office report)

Civil Appeal No.9847 of 2003

(With office report)

Civil Appeal No.9864 of 2003

(With office report)

Civil Appeal No.9865 of 2003
(With office report)

Civil Appeal No.9866 of 2003
(With office report)

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Civil Appeal No.9867 of 2003
(With office report)

Civil Appeal No.9868 of 2003
(With office report)

Civil Appeal No.9869 of 2003
(With office report)

Civil Appeal No.9870 of 2003
(With office report)

Civil Appeal Nos.9871-9872 of 2003
(With office report)

Civil Appeal No.9873 of 2003
(With office report)

Civil Appeal No.9874 of 2003
(With office report)

Civil Appeal No.9880 of 2003
(With office report)

Civil Appeal No.9881 of 2003
(With office report)

Civil Appeal No.9882 of 2003
(With office report)

Civil Appeal No.9883 of 2003

(With office report)

Civil Appeal No.9885 of 2003

(With office report)

Civil Appeal No.9886 of 2003

(With office report)

Civil Appeal No.9887 of 2003

(With office report)

Civil Appeal No.9888 of 2003

(With office report)

Civil Appeal No.9889 of 2003

(With office report)

Civil Appeal Nos.9891-9893 of 2003

(With office report)

Civil Appeal No. 9894 of 2003

(With office report)

Civil Appeal Nos.9895-9896 of 2003

(With office report)

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Civil Appeal No.9897 of 2003

(With office report)

Civil Appeal No.9899 of 2003

(With office report)

Civil Appeal No.9900 of 2003

(With office report)

Civil Appeal No.9901 of 2003

(With office report)

Civil Appeal No.9909 of 2003

(With office report)

Civil Appeal No.9911 of 2003

(With office report)

Civil Appeal No.9912 of 2003

(With office report)

Civil Appeal No.9916 of 2003

(With office report)

Civil Appeal No.9917 of 2003

(With office report)

Civil Appeal No.9918 of 2003

(With office report)

Date: 26/10/2004 These Appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SHIVARAJ V. PATIL

HON'BLE MR. JUSTICE B.N. SRIKRISHNA

For Appellant(s) Mr. Sandeep Sethi, Sr. Adv.

Mr. Aly Mirje, Adv.

Mr. V.B. Joshi, Adv.

Mr. A.P. Mohanty, Adv.

Mr. B.K. Pal, Adv.

Mr. M.P. Shorawala, Adv.

Mr. Pankaj Kalra, Adv.

Mr. Manoj Swarup, Adv.

Dr. Aman Hingorani, Adv.
Ms. Priya Hingorani, Adv.
Ms. Reema Bhandari, Adv.
Mr. Rakesh Chatterjee, Adv.
for M/s. Hingorani & Associates, Adv.

Mr. Jagjit Singh Chhabra, Adv.

Mr. Rajesh K. Sharma, Adv.
Ms. Shalu Sharma, Adv.

For Respondent(s) Mr. Sanjay R. Hegde, Adv.

Mr. G.V. Chandrasekhar, Adv.
Mr. P.P. Singh, Adv.

Ms. Kavita Wadia, Adv.

Mr. Vinay Kumar Garg, Adv.
Mr. Anil Kumar Thakur, Adv.

Dr. Kailash Chand, Adv.

Ex-parte

UPON hearing counsel the Court made the following

O R D E R

Civil Appeal No.6987 of 1999:

Heard the learned counsel for the parties for a while.

No orders on I.A. No.2 of 2004.

The civil appeal is allowed.

No costs.

Rest of the matters:

Dr. Aman Hingorani, learned counsel for the appellants in some of the appeals, commenced his arguments at 3.10 p.m. and was on his legs when the court rose for the day.

The matters remained part-heard.

a] Sarita [T.I. Rajput] [Shelly Sengupt
Court Master Court Master

[Signed order in C.A. No.6987/1999 is placed on the file]

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.6987 OF 1999

Cement Corporation of India Limited

...Appellant(s)

Versus

Gopy & Ors.

...Respondent(s)

O R D E R

The learned counsel for the parties submit that this appeal is covered by the decision of the Constitution Bench of this Court in Cement Corporation of India

Limited vs. Purya & Ors. [Civil Appeal No.6986 of 1999) rendered on 7th October, 2004 and it may also be disposed of in terms of Purya & Ors. (supra). Accordingly, the impugned judgement is set aside and the case is remitted to the High Court for consideration afresh in accordance with the law laid down and the directions given in Purya & Ors. (supra).

The civil appeal is, accordingly, allowed.

No costs.

...J.

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[SHIVARAJ V. PATIL]

...J.

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[B.N. SRIKRISHNA]

New Delhi,

October 26, 2004.