

ITEM NO.101

COURT NO.2

SECTION X

(PH)

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

## RECORD OF PROCEEDINGS

WRIT PETITION (CIVIL) NO.183 OF 2003

BHARAT SANCHAR NIGAM LTD.&amp; ANR.

Petitioner(s)

VERSUS

UNION OF INDIA &amp; ORS.

Respondent(s)

(With appln(s) for directions and exemption from filing O.T., stay and recalling the court's order and impleading party and amendment of petition and directions)

WITH

Civil Appeal NO. 2408 of 2002

Civil Appeal NO. 3329-3330 of 2002(With office report)

S.L.P.(C) NO. 5447 of 2003 (with appln.for restraining the respondents for levying coercive steps with prayer

for interim relief and office report)

W.P(C) NO. 227 of 2003(With appln(s) for stay)(With office report)

W.P(C) NO. 223 of 2003(With appln(s) for stay)(With office report)

W.P(C) NO. 372 of 2003(With appln(s) for ex-Parte stay)(With office report)

W.P(C) NO. 450 of 2003(With appln(s) for ex-Parte stay)(With office report)

CONMT.PET.(C) NO. 365 of 2004 in WP(C) No. 183/2003(With appln(s) for exemption from filing O.T.)

Civil Appeal NO. 6323-6325 of 1999(With office report)

Civil Appeal NO. 5337-5338 of 2001(With office report)

Civil Appeal NO. 4278-4288 of 2002(With appln(s) for permission)(With office report)

W.P(C) NO. 144 of 2004(With appln(s) for stay)(With office report)

W.P(C) NO. 145 of 2004

W.P(C) NO. 149 of 2004(With appln(s) for ex-Parte stay)

Civil Appeal NO. 2517-2518 of 2004(With office report)

Civil Appeal NO. 3086 of 2004(With appln.for to seek interlocutory order restraining the respondents for

levying coercive action for recovery of claims)

S.L.P.(C) NO. 6301 of 2004(With appln(s) for c/delay in filing SLP)(With office report)

W.P(C) NO. 162 of 2005

Civil Appeal NO. 2471 of 2005(With appln(s) for ex-Parte stay,permission to place addl. documents on

record)(With office report)

S.L.P.(C) NO. 15442 of 2005(With appln(s) for exemption from filing O.T.)

(With prayer for interim relief and office report)

S.L.P.(C) NO. 15443 of 2005(With appln(s) for exemption from filing O.T.)

(With prayer for interim relief and office report)

S.L.P.(C) NO. 15444 of 2005 (With appln(s) for exemption from filing O.T.)

(With prayer for interim relief and office report)

S.L.P.(C) NO. 15451 of 2005(With appln(s) for exemption from filing O.T.)

(With prayer for interim relief and office report)

S.L.P.(C) NO. 15452 of 2005(With appln(s) for exemption from filing O.T.)

(With prayer for interim relief and office report)

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S.L.P.(C) NO. 15453 of 2005(With appln(s) for exemption from filing O.T.)

(With prayer for interim relief and office report)

S.L.P.(C) NO. 15454 of 2005(With appln(s) for exemption from filing O.T.)

(With prayer for interim relief and office report)

S.L.P.(C) NO. 15455 of 2005(With appln(s) for exemption from filing O.T.)

(With prayer for interim relief and office report)

S.L.P.(C) NO. 15456 of 2005(With appln(s) for exemption from filing O.T.)

(With prayer for interim relief and office report)

S.L.P.(C) NO. 15457 of 2005(With appln(s) for exemption from filing O.T.)

(With prayer for interim relief and office report)

S.L.P.(C) NO. 15458 of 2005(With prayer for interim relief and office report)

S.L.P.(C) NO. 15459 of 2005

S.L.P.(C) NO. 15460 of 2005(With appln(s) for exemption from filing O.T.)

(With prayer for interim relief and office report)

S.L.P.(C) NO. 15461 of 2005(With appln(s) for exemption from filing O.T.)

(With prayer for interim relief and office report)

S.L.P.(C) NO. 15462 of 2005(With appln(s) for exemption from filing O.T.)

(With prayer for interim relief and office report)

S.L.P.(C) NO. 15464 of 2005(With appln(s) for exemption from filing O.T.)

(With prayer for interim relief and office report)

SLP(C)No. 17281/2005(With appln. for c/d in filing SLP and with prayer for interim relief)

SLP(C)Nos. 17286/2005(With appln. for c/d in filing SLP and with prayer for interim relief and office report)

SLP(C)No.17287/2005 (With appln. for c/d in filing SLP and with prayer for interim relief and office report)

SLP(C)Nos. 17288/2005(With appln. for c/d in filing SLP and with prayer for interim relief and office report)

W.P.(C)No. 468/2005 and

SLP(C)No. 22569/2005(With appln. for exemption form filing OT and with prayer for interim relief and office

report)

Date: 29/11/2005 These matters were called on for hearing today.

CORAM :

HON'BLE MRS. JUSTICE RUMA PAL

HON'BLE DR. JUSTICE AR. LAKSHMANAN

HON'BLE MR. JUSTICE DALVEER BHANDARI

For Petitioner(s)/

Appellant(s)

(for BSNL) Mr.Harish N. Salve,Sr.Adv.

Mr. K.Parasaran,Sr.Adv.

Mr. Maninder Singh,Adv.

Ms.Pratibha M.Singh,Adv.

Mr. S.Fernanades,Adv.

Mr. Tejveer Bhatia,adv.

Mr. Y.Handoo,adv.

Ms. Aprajita Singh,Adv.

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Mr.Ankur Talwar,Adv.

Mr.Saurabh Misra,Adv.

Mr. Bishwajit Singh, Adv.

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(for MTNL)

Mr. C.S.Vaidyanathan,Sr.Adv.

Mr. Parag P.Tripathi,Sr.Adv.

M/s. V.K.Rao, Adv.

Ms.Madhu Sikri, Adv.

Mr. Ravi Sikri,Adv.

Mr.Dushyant A.Dave,Sr.Adv.

Mr. Punit Dutt Tyagi, Adv.

Mr. Mukesh Verma, Adv.

Mr. Ajay Choudhary, Adv.

Mr. Ajay Bansal, Adv.

Mr. Praveen Kr. Singh, Adv.

Mr. Bharat Singh, Adv.

Mr. V. Lakshmikumaran,adv.

Mr. Alok Yadav,adv.

Mr. Rajesh Kumar,adv.

Dr. A.M.Singhvi,Sr.Adv.

Ms. Ritu Bhalla,Adv.

Mr. K.S.Nagra,adv.for

for M/s. Suresh A Shroff & Co., Adv.

Mr. K Parasaran, Sr. Adv.

Mr. Harish N Salve, Sr. Adv.

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Ms. R Meena Kumari, Adv.

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Mr. K R Sasiprabhu, Adv.

Mr. Harish N Salve,Sr.Adv.

Mr. C.S.Vaidyanathan,Sr.adv.

Mr. N.Venkataramani,Adv.

Mr. M.Saffique,Adv.

Mr. S.Nandakumar,Adv.

Mr. Dalip Kapoor,Adv.

Mr. M.Bajpai,Adv.

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Ms. Bina Gupta,Adv.

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Mr.T.V.George,adv.

Mr. Sarup Singh, Sr.Addl.Adv.Genl.,Pb.

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Mr. Bimal Roy Jad, Adv.

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Mr. N.Prasad,adv.

Mr. K.B.Sandeep,adv.

Ms.Vimla Sinha,Adv.

Mr.Pradeep Misra,Adv.

Mr. K.Gulati,Adv.

Mr. Kamendra Mishra, Adv.

Mr.R.K.Dubey, Adv.

Mr. R.Singh,Adv.

Mr. Jatinder Kumar Bhatia, Adv.

For Respondent(s)/

Applicant(s) for

impleadment/intervention

Union of India

Mr. G.E.Vahanavati, SGI(NP)

Mr.P P Malhotra, ASG(NP)

Mr. Rajiv Dutta, Sr. Adv.

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Mr. R. Singh, adv.

Mr. V.K.Verma, adv.

Mr. P Parmeswaran, Adv.

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Mr. Ashok H. Desai, Sr. Adv.

Mr. Sunil Gupta, Sr, Adv.

Mr. Vivek Vishnoi, Adv.

Mr. Prantap Kalra, Adv.

Ms. Neha, Adv.

Mr. Parthiv, Adv.

Mr. Ravi P. Mehrotra, Adv.

Mr. Garvesh Kabra, Adv.

Mr. Manoj Kumar Mishra, Adv.

Mr. Kamendra Mishra, Adv.

Mr Pradeep Misra, Adv.

NCT Delhi:

Mr. T.R. Andhyarujina, Sr. Adv.

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Ms.Sneha Bhaskaran,Adv.

Mr. Sanjay R.Hegde,Adv.

Mr.Anil K.Mishra,Adv.

Mr.A.Rohan Singh,Adv.

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Mr. G.Prabhakar,adv.

State of Nagaland:

Mr.U.Hazarika,Adv.

Mr.Satya Mitra,Adv.

Ms.Sumita Hazarika,Adv.

State of Rajasthan: Mr.Aruneshwar Gupta,Addl.Adv.Genl.

Mr.Naveen Kumar,Adv.

Govt.of Pondicherry: Mr.V.G.Pragasam,Adv.

State of Assam: Mr.V.K.Sidharthan,Adv.  
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for M/s Corporate Law Group, Adv.

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Ms.Vibha Datta Makhija,Adv.  
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All U.Ts. Mr.S.Wasim A.Qadri,Adv.  
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For Chhattisgarh: Ms.Suparna Srivastava,Adv.

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Mr.Dhruv Mehta,Adv.

Mr.Harshvardhan Jha,for

Mr. Y.S.Deora,adv.

For M/s K.L. Mehta & Co., Advs.

Mr.S.Ganesh,Sr.Adv.

Mr.S.Sukumaran,Adv.

Mr.A.Deb Kumar,Adv.

Mr.K.Rajeev,Adv.

Mr.C.D. Singh,Adv.

Mr.Gunratan Pandey,Adv.

Ms.Kiran Suvarna,Adv.

Mr.P.Venugopal,Adv.

Mr.Harshad V.Hameed,Adv.for

M/s K. John & Co., Advs.

Mr.Harish N. Salve,Sr.Adv.

Mr. K.Parasaran,Sr.Adv.

Mr. Maninder Singh,Adv.

Ms.Pratibha M.Singh,Adv.

Mr. S.Fernanades,Adv.

Mr. Tejveer Bhatia,adv.

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Mr. V.K.Rao, Adv.

Ms.Madhu Sikri, Adv.

Mr. Ravi Sikri,Adv.

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Mr. N.Venkataramani,Adv.

Mr. Lakshmikumaran,Adv.

Mr. M.Saffique,Adv.

Mr. S.Nandakumar,Adv.

Mr. Dalip Kapoor, Adv.

Mr. M. Bajpai, Adv.

Ms. Rakhi Ray, Adv.

Mr. S.K. Virmani, Adv.

Ms. Bina Gupta, Adv.

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Mr. Gopal Prasad, Adv.

Mr. D S Mahra, Adv.

UPON hearing counsel the Court made the following

O R D E R

ed his Mr. Sunil Gupta, learned senior counsel resumed

Thereafter, arguments at 10.45 a.m. and concluded at 1.00 p.m.

Mr.T.R. Andhyarujina, learned senior counsel started his arguments and was on his legs when the Court rose for the day.

The matters remained part-heard.

(Usha Bhardwaj) (D.P. Walia) (Madhu Saxena)  
P.S. to Registrar Court Master Court Master

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Coram and appearance: As above

Mr.T.R. Andhyarujina, learned senior counsel resumed his arguments at 10.30 a.m. and concluded at 11.00 a.m. Thereafter, Mr.Rakesh Dwivedi, learned senior counsel started his arguments and concluded at 2.45 p.m. Then Mr. TLV Iyer, learned senior counsel commenced making arguments at at 2.45 p.m. and concluded at 3.10 p.m. Mr.S. Balakrishnan, learned senior counsel, thereafter started his arguments and concluded at 3.35 p.m.

Thereafter, Mr. K.Parasaran, learned senior counsel started his submissions in rejoinder at 3.35 p.m. and was on his legs when the Court rose for the day leaving the matters part-heard.

(Usha Bhardwaj)	(D.P. Walia)	(Madhu Saxena)
P.S. to Registrar	Court Master	Court Master

Item No.101 (Part-heard)/Court No. 2

Dated : 01.12.2005

Coram and appearance: As above

Mr.K Parasaran, learned senior counsel resumed his arguments at 10.35 a.m. and concluded at 12.30 p.m. Thereafter, Mr. C Vaidyanathan, learned senior counsel commenced his submissions in rejoinder and concluded at 2.55 p.m. Thereafter, Mr. Harish N Salve, learned senior counsel made his rejoinder submissions for 40 minutes

1 followed by Mr. V Lakshmikumaran, learned counsel who made submissions for 15 minutes. Thereafter, Mr. Punit D Tyagi, learned counsel, Mr. Rajiv Dutta, learned senior counsel and Mr. Sunil Gupta, learned senior counsel made their submissions for some time.

Arguments concluded.

Judgment reserved.

Written notes may be filed within 10 days.

(Usha Bhardwaj)

(D.P. Walia)

(Madhu Saxena)

P.S. to Registrar

Court Master

Court Master