

ITEM NO.301

COURT NO.2

SECTION XI-A

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

Civil Appeal No(s). 2800/2014

SATYAJIT DAS & ANR.

Appellant(s)

VERSUS

AJIT KUMAR TRIPATHY & ANR.

Respondent(s)

([ONLY I.A. NO. 29756/2022 IN W.P.(C) NO. 140/2013 IS LISTED AGAINST THIS ITEM])

WITH

W.P.(C) No. 140/2013 (X)

(IA No. 29756/2022 - CLARIFICATION/DIRECTION)

Date : 04-05-2022 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE UDAY UMESH LALIT

HON'BLE MR. JUSTICE S. RAVINDRA BHAT

For Appellant(s)

Mr. Prasenjit Keswani, Advocate
Mr. Mahesh Kumar, Advocate
Mr. Upmanyu Tiwari, Advocate
Mr. Srinivasa Kumar Bogisam, Advocate
Ms. Devika Khanna, Advocate
Mrs. V.D. Khanna, Advocate
Mr. Vmz Chambers, AOR

Mr. Amarjit Singh Bedi, AOR

For Respondent(s)

Mr. C.U. Singh, Sr. Advocate
Ms. Anindita Pujari, AOR
Mr. Siddhartha Srivastava, Adv.
Mr. Azad Bansala, Adv.
Mr. Prakriti Rastogi, Adv.

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

Civil Appeal No.2800/2014 arises out of the judgment and order dated 16.09.2010 passed by the High Court of Orissa at Cuttack closing Contempt Petition No.570 of 2009 because of Section 10 of the Orissa Reservation of posts & Services (for

Socially and Educationally Backward Classes) Act, 2008. Relying on the validation Clause in said Section 10, the High Court observed that the judgment rendered by it earlier, could not now be enforced.

W.P.(C) No. 140/2013 has also been filed by some of the candidates seeking enforcement of the directions issued by the Tribunal.

It must be stated that the validity of the aforesaid legislation was challenged in the High Court. The petition was allowed by the High Court and the challenge raised against the afore-stated legislation was accepted. The view taken by the High Court is under challenge in SLP(C) Nos.32905-32907 of 2017. An independent challenge by way of W.P.(C) No.100/2011 is also pending consideration in this Court.

In the afore-stated circumstances, in our view, in the fitness of things, all these matters must be listed before the same Bench.

We, therefore, direct the Registry to place all relevant papers before the Hon'ble CJI to constitute an appropriate Bench to consider all these issues.

To similar effect the directions have already been issued by this court in its order dated 08.12.2017 in SLP(C) Nos.32905-32907 of 2017.

(INDU MARWAH)
COURT MASTER (SH)

(PREETHI T.C.)
BRANCH OFFICER