

ITEM NO.115

COURT NO.13

SECTION XI

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). 5682 OF 2007

M/S HINDALCO INDUSTRIES LIMITED

Appellant (s)

VERSUS

STATE OF U.P.& ORS.

Respondent(s)

(With office report)

WITH

Civil Appeal NO. 1295 of 2008

(With office report)

Date: 12/10/2011 These Appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DEEPAK VERMA

HON'BLE MR. JUSTICE JASTI CHELAMESWAR

For Appellant(s)

Dr. A.M. Singhvi, Sr.Adv.
Mr. Syed Shahid Hussain Rizvi,Adv.
Mr. Amit Bhandari, Adv.
Mr. Sanjeeb Panigrahi, Adv.
Mr. L. Nidhiram Sharma, Adv.
[in C.A. No.5682/2007]

Mrs Sheela Goel, A.O.R.[Not present]
[in C.A. No.1295/2008]

For Respondent(s)

Mr. Dinesh Dwivedi, Sr. Adv.
Mr. Vishwajeet Singh, A.O.R.
Mr. Prateek Dwivedi, Adv.
Mr. Manish Shrivastava, Adv.
Mr. Bhishek Kumar Singh, Adv.

Ms. Niranjana Singh,Adv.
Ms. Prema Singh, Adv.
Ms. Shalini Kumar, Adv.
[in C.A. No.5682/2007]

UPON hearing counsel the Court made the following

O R D E R

Dr. A.M. Singhvi, learned senior counsel
appearing for the appellant has brought to our notice

2

the order dated 30th March, 2011 whereby eleven questions of law have been referred to a Bench of nine Judges. According to him, in this appeal questions nos.2,5,6,7,8,10 and 11 would be required to be considered. He, therefore, contended that looking to the questions formulated vide order dated 30th March, 2011 and keeping in mind that they would be heard by nine judges, hearing in this matter be deferred.

Mr. Dinesh Dwivedi, learned senior counsel
appearing for the respondents opposed the prayer and contended that none of the questions referred to above would arise for consideration in this appeal and this

appeal rests on some other questions and, therefore, it be heard.

However, looking to the controversy, we are of the opinion that hearing of these appeals be deferred for a period of six months. We accordingly do so.

We may also clarify that so far no stay has been granted in this matter by this Court. Thus, the respondents shall be at liberty to move the High Court by filing an appropriate application and the High Court shall decide it in accordance with law.

(A.D. Sharma)
Court Master

(S.S.R. Krishna)
Court Master