

**IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION**

**CIVIL APPEAL NO. 1679/2010, 3498-3500/ 2004 S.L.P.(C) Nos.14099  
AND 14524 OF 2015**

WITH

**INTERLOCUTORY APPLICATION Nos. 8-10 and 11-13 in C.A.Nos. 3498-3500 of 2004,  
I.A.Nos. 2-4 In SLP(C) No.14099,I.A.No.6 in SLP(C) No. 14524/2005**  
(Applications for intervention )

WITH

**INTERLOCUTORY APPLICATION No. 5 IN SLP No.14524 of 2015s**  
(Application for vacation of Order dated 15.5.2015 passed by this Hon'ble Court)

Union of India & Anr. Etc.

...Appellants

versus

M/s. Meghmani Organics Ltd. & Others Etc.

Respondents

**OFFICE REPORT**

The matters above mentioned were listed before the Hon'ble Court alongwith connected matters on 29<sup>th</sup> August, 2016 and 7<sup>th</sup> October, 2016 when the Court was pleased to pass the following order:-

**“29.08.2016**

**Heard learned counsel for the parties at length.**

**Arguments concluded.**

**Judgment reserved.**

**Written submissions, if any, be filed within a week.**

**07.10.2016**

**Hon'ble Mr. Justice Shiva Kirti Singh pronounced the judgment of the Bench comprising of Hon'ble Mr. Justice J. Chelameswar, His Lordship and Hon'ble Mr. Justice Abhay Manohar Sapre. Having answered the question thus, we direct the cases to be posted before appropriate Bench for disposal on merits and in the light of our answer to the question referred and considered.”**

**Civil Appeal No. 1679 of 2010**

It is submitted that service of notice is complete on all the four respondents as respondent Nos. 1 & 2 are represented through M/s AP & J Chambers, Advocates and respondent Nos. 3 & 4 are represented through Mr. E.C. Agrawala, Advocate.

It is further submitted that counsel for the appellants and also counsel for the respondent Nos. 1 & 2 have filed statement of case. Copies of the same have been included in the paper books. Appeal is ready for hearing.

**Civil Appeal No. 3498-3500 of 2004**

It is submitted that there are twenty respondents. Service of notice is complete in respect of all the twenty respondents. Vakalatnama/Appearance has been filed by Mr. Satyendra Kumar, Mr. Rajesh Kumar, M/s Dua Associates and Ms. Indra Sawhney, Advocates only on behalf of respondent Nos. 4, 5, 8, 9, 11 and 13 respectively. Service of notice is complete in respect of Respondent Nos. 1, 2, 3, 7, 10, 12, 14 & 19 by way of affidavit of dasti service filed by the Advocate for the applicant and service in respect of respondent Nos. 9, 10 and 15 by way of publication of notice in News Papers but none has filed Vakalatnama/Appearance on behalf of the said respondents. A. D. Card duly signed have been received from respondent Nos. 6 and 20. Service of notice is complete in respect of respondent Nos. 16 and 17 through Embassy of India, Seoul as per affidavit of service. Ms. Kum Kum Sen, Advocate who appeared before the Court on 17th May, 2004 on behalf of respondent No. 18 but she has not filed Vakalatnama/Appearance on behalf of the said respondent despite request.

It is further submitted that Mr. Sanjay Sehrawat, Advocate has on 31st March 2015 filed applications for intervention to permit the applicant to intervene in the matter and the said applications have been registered as Interlocutory Application Nos. 8-10 and 11-13. Paper books of said application have been placed with the paper books of Civil Appeals.

**SPECIAL LEAVE TO APPEAL (C) No.14099 OF 2015**

The matter was listed before the Hon'ble Court on 22nd May, 2015, when the Court was pleased to pass the following order:“

**“Issue notice.**

**Tag with SLP Â© No. 14524 of 2015.**

**We find in SLP Â© No. 14524 of 2015, which arises out of the similar judgment, this Court has already granted stay of the said judgment on 15th May, 2015. Thereafter, there is no need to pass another order of stay as the aforesaid stay order would enure to the benefit of the parties herein. Mr. V. Lakshmikumaran, learned counsel for the respondents states that in another special leave petition, this court had given liberty to the respondents to move an application for vacation / modification and on perusing thereof, such applications have already been filed. Let those applications be listed along with the matter.”**

Accordingly, notice was issued to all the three respondents Mr. M.P. Devanath, Advocate has filed Vakalatnama/Appearance on behalf of all the respondents. He has also filed counter affidavit on behalf of Respondent No.1. Copy of the counter affidavit has been included in the paper books. Mr. Sanjay Sherawat, Advocate has on 7<sup>th</sup> May, 2015 filed three application for intervention on behalf of M/s. Alkali Manufacturers Association of India, Indian Chemicals Council and Carbon Black Manufacuturers Association and the said application has been registered as I. A. Nos. 2, 3 & 4 and copies of the application have been included in the paper books.

**SPECIAL LEAVE TO APPEAL (C) No.14524 OF 2015**

The said matter alongwith application for intervention was listed before the Hon'ble Court on 15th May, 2015, when the Court was pleased to pass the following order:

**“Application(s) for intervention are allowed.  
Learned counsel for the petitioner is directed to file amended memo of parties within six weeks' time from today.  
Notice.  
Tag with Civil Appeal No. 3498-3500 of 2004.  
Until further orders, there shall be ad-interim stay of the impugned judgment and order passed by the High Court of Delhi at New Delhi in Writ Peition Â© No. 744 of 2015, dated 18.03.2015. Liberty is granted to the respondents to file counter affidavit as well as to make appropriate application for the modification/vacation of stay, if they so desire.”**

It is submitted that Cause Title has been amended accordingly and copy of the same has been included in the paper books. Show cause notice was issued to respondent Nos. 1, 2, 4 to 6 on 9th June, 2015 through registered A.D. Post and respondent No. 3 through Mr. M.P. Devanath, Advocate/Caveator and respondent Nos. 7 to 10 through Mr. Sanjay Sharawat, Advocate/Intervenor. Mr. M.P. Devanath, Advocate has on 28<sup>th</sup> July, 2015 filed counter affidavit on behalf of respondent No. 3. Copy of the counter affidavit has been included in the paper books. Mr. B.K. Prasad, Advocate has filed Vakalatnama/Apperance on behalf of respondent Nos. 1 and 4, but he has not filed counter affidavit so far.

It is submitted that neither A.D. Cards nor unserved covers containing the show cause notices have been received back from respondent Nos. 2, 5 and 6.

It is further submitted that Mr. M.P. Devanath, Advocate has on 14th July, 2015 filed an application for intervention on behalf of the applicant viz. Rashi Peripherals Pvt. Ltd. The said application has been registered as Interlocutory Application No. 6 and the same was listed before the Hon'ble Judge in Chamber on 10th September, 2015, when His Lordship was pleased to pass the following order:

**“List I.A. No. 6 alongwith main matter before the Court.”**

The matters alongwith applications for intervention and vacation of Order dated 15th May, 2015 are listed before the Hon'ble Court with this Office Report.

Dated this the 15<sup>th</sup> day of November, 2016.

ASSISTANT REGISTRAR

Copy to:

1. Mr. B.K. Prasad, Advocate
2. Ms. B. Vijayalakshmi Menon, Advocate
3. Mr. Rajesh Kumar, Advocate
4. Mr. Satyendra Kumar, Advocate
5. Mr. E.C. Agrawala, Advocate
6. M/s AP &J Chambers, Advocates
7. Mr. Sanjay Sharawat, Advocate
8. M/s Dua Associates, Advocates
9. Ms. Indra Sawhney, Advocate
10. Ms. Kum Kum Sen, Advocate
11. Mr. M.P. Davanath, Advocate

ASSISTANT REGISTRAR

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