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W.P(C)No. 316 OF 1999
ITEM No.20

Court No.12

SECTION PIL
A/N MATTER

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.316/1999

MURLI S.DEORA

Petitioner (s)

VERSUS

UNION OF INDIA & ORS

Respondent (s)

(With Appln(s). for taking the annexures as it is on
record and directions)
(With Office Report)

Date : 12/04/2002 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.P. SETHI
HON'BLE MR. JUSTICE K.G. BALAKRISHNAN

For Petitioner (s) Ms. Indira Jaising, Sr. Adv.
Mr. Jagjit S Chhabra, Adv.
Mr. R.S. Suri, Adv.

For Respondents Mr. Harish N. Salve, SG
UOI Mr. Altaf Ahmad, ASG
Mr. Vipin Sanghi, Adv.
Mr. Prateek Jalan, Adv.
Dr. SR Sharma, Adv.
Mr. Aeltemesh Rein, Adv.
Mr. D.S. Mahra, Adv.

for Respdt. 7,8,9 Mr. Anil B. Divan, Sr. Adv.
Mr. Rajan Narain, Adv.
Mr. Ashok Sagar, Adv.
Ms. Sonu Bhatnagar, Adv.
Ms. Sushma Sharma, Adv.

for State of AP Mr. T.V. Ratnam, Adv.
Mr. K. Subba Rao, Adv.

for Uttranchal Mr. Ajay K Agrawal, Adv.
Mr. Mahesh Chandra, Adv.

for St. of Goa Ms. A. Subhashini, Adv.

for Bihar St. Ms. Sunita R. Singh, Adv.

for St. of Assam Ms. Krishna Sarma, Adv.
Ms. Asha G. Nair, Adv.
for M/s. Coporate Law Group, Advs.

for St. of Assam Ms. Krishna Sarma, Adv.
Mr. V.K. Sidatharan, Adv.
Mr. Atul Kumar, Adv.
for M/s. Corporate Law Group, Advs.

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for Arunachal Pd. St. Mr. Anil Shrivastav,Adv.

for St. of Haryana Mr. J.P.Dhanda, Adv.
Ms. Raj Rani Dhanda, Adv.
Mr. K.P.Singh, Adv.
Mr. D.S.Nagar, Adv.

for St. of Manipur Mr. KH Nobin Singh,Adv.

for St. of WB Mr. Tara Chandra Sharma, Adv.
Ms. Neelam Sharma,Adv.

for T.N. State Mrs.Revathy Raghavan,Adv.

for UT of Anadaman, Mr. R.N. Poddar,Adv.
Lakshadweep, Dadar & Mr. DS Mahra,Adv.
Nagar Haveli & NCT Ms. Sunita Sharma,Adv.
of Delhi

for St. of UP Mr. R.C. Verma,Adv.
Mr. Mukesh Verma, Adv.
Dr. I.P. Singh, Adv.

for St.of Pondicherry Mr. V.G.Pragasam, Adv.

for St.of Chhatisgarh Mr. Prakash Shrivastava, Adv.

for St. of MP Mr. Sakesh Kumar,Adv.
Mr. B.S. Banthia,Adv.

for Jharkand St. Mr. Ashok Mathur,Adv.
Mr. Arup Banerjee,Adv.

for St. of Tripura Mr. Gopal Singh, Adv.
Mr. Rahul Singh, Adv.

for Triputa State Mr. Gopal Singh,Adv.
Mr. Rahul Singh,Adv.

for Gujarat & Ms. Anu Sawhney, Adv.
Mizoran Ms. Hemantika Wahi,Adv.

for St.of Punjab Mr. Rajeev Sharma, Adv.

for St. of Nagaland Mr. V.D.Khanna, Adv.
Mr. Sanjay K.Shendilya, Adv.

for St. of J&K Mr. Anis Suhrawardy,Adv.

for Meghalaya St. Mr. Ranjan Mukherjee,Adv.

Mr. Aruneshwar Gupta,Adv.
Mr. Umesh Kumar Khaitan,Adv.
Mr. P. Parmeswaran,Adv.
Ms. Sandhya Goswami,Adv.
Mr. N. Ganpathy,Adv.
M/s Arputham,Aruna & Co.,Adv.
Mr. Radha Shyam Jena,Adv.
Mr. S.K. Agnihotri,Adv.
M/s I.M. Nanavati Associates,Adv.

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Mr. S.V. Deshpande,Adv.
Mr. Naresh K. Sharma,Adv.

Mr. Sanjay R. Hegde, Adv.
Mr. H.K. Puri, Adv.
Mr. B.S. Banthia, Adv.
Mr. Ramesh Babu M.R., Adv.
Ms. Kamini Jaiswal, Adv.

UPON hearing counsel the Court made the following

O R D E R

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In view of this court's order dated 2.11.2001, the scope of this writ petition has been enlarged. We are not inclined to dismiss this petition on the basis of order dated 23.8.2001 in W.P.(C) 616 of 2000, as prayed on behalf of the respondents.

Mr. Harish N. Salve, learned Solicitor General has further submitted that larger issue which arises for consideration is as to whether tobacco and cigarette can be regarded as noxious commodities and therefore "res extra commercium". The learned counsel appearing for the cigarette manufacturing companies take notice of the submission made by the learned Solicitor General. They seek and granted eight weeks' time to file their reply on the enlarged scope of this petition. Rejoinder affidavit, if any, be filed within two weeks thereafter.

List after three months.

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(N.K. Goel)
Court Master

(V.P. Tyagi)
Court Master