

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

RECORD OF PROCEEDINGS

CIVIL APPEAL NO.1428 OF 2004

RANVIR SINGH & ANOTHER
ellant

App

(s)

VERSUS

UNION OF INDIA

Respondent (s)

WITH

C.A.No.1429/2004(S.XIV),C.A.No.1430/2004(S.XIV),C.A.No.1431-1433/2004

(S.XIV)C.A.No.1434/2004(S.XIV),C.A.No.1435/2004(S.XIV),

C.A.No.2747/2004(with application for stay, permission to file affidavit and documents on behalf of

impleaded appellant No.2 and with prayer for interim relief and office report)

,C.A.No.2750/2004(S.XIV)(With Prayer for Interim Relief),

C.A.No.2751/2004(S.XIV)(With Prayer for Interim Relief and Office Report),

C.A.No.2953/2004(S.XIV)(With Prayer for Interim Relief),

C.A.No.2947/2004(S.XIV)(With Prayer for Interim Relief),

C.A.No.2951/2004(S.XIV)(With Prayer for Interim Relief),

C.A.No.2952/2004(S.XIV)(With Prayer for Interim Relief),

C.A.No.2950/2004(S.XIV)(With Prayer for Interim Relief),

C.A.No.2948/2004(S.XIV)(With Prayer for Interim Relief),

C.A.No.2954/2004(S.XIV)(With Prayer for Interim Relief),

C.A.No.2949/2004(S.XIV)(With Prayer for Interim Relief),

C.A.No.3426/2004,

(with application for declaring the respondent No.2 as major and discharging him from the guardianship),C.A.No.3427/2004(S.XIV),C.A.No.3429/2004(S.XIV)

,C.A.No.3430/2004(S.XIV),C.A.No.3432/2004(S.XIV),C.A.No.3431/2004(S.XIV)

,C.A.No.2955/2004(S.XIV)(With Prayer for Interim Relief),

C.A.No.2956/2004(S.XIV)(With Prayer for Interim Relief),
C.A.No.2957/2004(S.XIV)(With Prayer for Interim Relief),
C.A.No.3170/2004(S.XIV)(With Appl.(s) for setting aside an abatement and with Prayer
for Interim Relief),
C.A.No.3433/2004(S.XIV),C.A.No.3428/2004(S.XIV),C.A.No.3436/2004(S.XIV)
,C.A.No.3434/2004(S.XIV),C.A.No.3435/2004(S.XIV),C.A.No.3438/2004(S.XIV)
,C.A.No.3437/2004
(office report on default),C.A.No.3444/2004(S.XIV),C.A.No.3443/2004(S.XIV)
,C.A.No.3445/2004(S.XIV),C.A.No.3446/2004(S.XIV),C.A.No.3447/2004(S.XIV)
,C.A.No.3449/2004(S.XIV),C.A.No.3448/2004(S.XIV),C.A.No.3450/2004(S.XIV)
,C.A.No.3451/2004(S.XIV),C.A.No.3453/2004(S.XIV),C.A.No.3452/2004(S.XIV)
,C.A.No.2748/2004(S.XIV)(With Office Report),C.A.No.2749/2004(S.XIV)
(With Prayer for Interim Relief),C.A.No.3176/2004(S.XIV)
(With Prayer for Interim Relief),C.A.No.3191/2004(S.XIV)
(With Prayer for Interim Relief),C.A.No.3192/2004(S.XIV)
(With Prayer for Interim Relief),C.A.No.3193/2004(S.XIV)
(With Prayer for Interim Relief),C.A.No.3194/2004(S.XIV)
(With Prayer for Interim Relief),C.A.No.3171/2004(S.XIV)
,C.A.No.3463/2004
(with application for substitution of Lrs. of deceased respondent No.1 and c/delay in filing s
ubstitution
application and office report)
,C.A.No.3195/2004(S.XIV)(With Prayer for Interim Relief),
C.A.No.3198/2004(S.XIV)(With Prayer for Interim Relief),
C.A.No.3196/2004(S.XIV)(With Prayer for Interim Relief),
C.A.No.3197/2004(S.XIV)(With Prayer for Interim Relief),
C.A.No.3199/2004(S.XIV)(With Prayer for Interim Relief),
C.A.No.3200/2004(S.XIV),C.A.No.3172/2004(S.XIV),C.A.No.3174/2004(S.XIV)
,C.A.No.3178/2004(S.XIV),C.A.No.3177/2004(S.XIV),C.A.No.3180/2004(S.XIV)
(With Prayer for Interim Relief),C.A.No.3179/2004(S.XIV)
(With Prayer for Interim Relief),C.A.No.3182/2004(S.XIV)
(With Prayer for Interim Relief),C.A.No.3181/2004(S.XIV)
(With Prayer for Interim Relief),C.A.No.3186/2004(S.XIV)
(With Prayer for Interim Relief),C.A.No.3190/2004(S.XIV)

(With Prayer for Interim Relief),C.A.No.3189/2004(S.XIV)
(With Prayer for Interim Relief),C.A.No.3187/2004(S.XIV)
(With Prayer for Interim Relief),C.A.No.3188/2004(S.XIV)
(With Prayer for Interim Relief),C.A.No.3173/2004(S.XIV)
,C.A.No.3201/2004(S.XIV)(With Prayer for Interim Relief),
C.A.No.3202/2004(S.XIV)(With Prayer for Interim Relief),
C.A.No.3203/2004(S.XIV)(With Prayer for Interim Relief),
C.A.No.3204/2004(S.XIV)(With Prayer for Interim Relief),
C.A.No.3207/2004(S.XIV)(With Prayer for Interim Relief),
C.A.No.3206/2004(S.XIV)(With Prayer for Interim Relief),
C.A.No.3205/2004(S.XIV)(With Prayer for Interim Relief),
WITH C.A.No.3175/2004(S.XIV),C.A.No.3209/2004(S.XIV)(With Prayer for Interim Relief),
C.A.No.3208/2004(S.XIV)(With Prayer for Interim Relief),
C.A.No.3210/2004(S.XIV)(With Prayer for Interim Relief),
C.A.No.3212/2004(S.XIV)(With Prayer for Interim Relief),
C.A.No.3211/2004(S.XIV)(With Prayer for Interim Relief),
C.A.No.3214/2004(S.XIV)(With Prayer for Interim Relief),
C.A.No.3215-3217/2004(S.XIV),C.A.No.3221/2004(S.XIV),C.A.No.3220/2004(S.XIV)
(With Prayer for Interim Relief),C.A.No.3222/2004(S.XIV)
(With Prayer for Interim Relief),C.A.No.3213/2004(S.XIV)
(With Prayer for Interim Relief),C.A.No.3219/2004(S.XIV)
(With Prayer for Interim Relief),C.A.No.3218/2004(S.XIV)
(With Prayer for Interim Relief),C.A.No.3223/2004(S.XIV)
(With Prayer for Interim Relief),C.A.No.3225/2004(S.XIV)
(With Prayer for Interim Relief),C.A.No.3224/2004(S.XIV)
(With Prayer for Interim Relief),C.A.No.3227/2004(S.XIV)
(With Prayer for Interim Relief),C.A.No.3228/2004(S.XIV)
(With Prayer for Interim Relief),C.A.No.3229/2004(S.XIV)
(With Prayer for Interim Relief),C.A.No.3230/2004(S.XIV)
(With Prayer for Interim Relief),C.A.No.3231/2004(S.XIV)
(With Prayer for Interim Relief),C.A.No.3232/2004(S.XIV)
(With Prayer for Interim Relief),C.A.No.3234/2004(S.XIV)
(With Prayer for Interim Relief),C.A.No.3233/2004(S.XIV)
(With Prayer for Interim Relief),
C.A.No.3237/2004(S.XIV)

(With Prayer for Interim Relief),C.A.No.3238/2004(S.XIV)

(With Prayer for Interim Relief),C.A.No.3226/2004(S.XIV)

(With Prayer for Interim Relief),C.A.No.3239/2004(S.XIV)

(With Prayer for Interim Relief),C.A.No.3240/2004(S.XIV)

(With Prayer for Interim Relief),C.A.No.3241/2004(S.XIV)

(With Prayer for Interim Relief),C.A.No.3242/2004(S.XIV)

(With Appl.(s) for substitution and with Prayer for Interim Relief),

C.A.No.3243/2004(S.XIV)(With Prayer for Interim Relief),

C.A.No.3244/2004(S.XIV),C.A.No.3245/2004(S.XIV)(With Prayer for Interim Relief),

C.A.No.3246/2004(S.XIV)(With Prayer for Interim Relief),

C.A.No.3247/2004

(with application for substitution and setting aside an abatement and c/delay in filing substitution

application and with prayer for interim relief)

,C.A.No.3248/2004(S.XIV)(With Prayer for Interim Relief),

C.A.No.3249/2004(S.XIV)(With Prayer for Interim Relief),

C.A.No.3250/2004(S.XIV)(With Prayer for Interim Relief),

C.A.No.3251-3256/2004(S.XIV),C.A.No.3236/2004(S.XIV),C.A.No.3454/2004(S.XIV)

,C.A.No.3257/2004(S.XIV)(With Prayer for Interim Relief),

C.A.No.3258-3265/2004(S.XIV),C.A.No.3266/2004(S.XIV),C.A.No.3267/2004(S.XIV)

(With Prayer for Interim Relief),C.A.No.3268/2004(S.XIV)

(With Prayer for Interim Relief),C.A.No.3269/2004(S.XIV)

(With Prayer for Interim Relief),C.A.No.3284-3297/2004(S.XIV)

,C.A.No.3270-3283/2004(S.XIV),C.A.No.3298/2004(S.XIV),C.A.No.3299/2004(S.XIV)

,C.A.No.3300/2004(S.XIV)(With Prayer for Interim Relief),

C.A.No.3301/2004(S.XIV)(With Prayer for Interim Relief),

C.A.No.3302/2004(S.XIV)(With Prayer for Interim Relief),

C.A.No.3303/2004

(with application for substitution and c/delay in filing substitution application and setting aside an

abatement and with prayer for interim relief)

,C.A.No.3304/2004(S.XIV)(With Prayer for Interim Relief),

C.A.No.3305/2004(S.XIV)(With Prayer for Interim Relief),

C.A.No.3306/2004(S.XIV)(With Prayer for Interim Relief),

C.A.No.3307/2004(S.XIV)(With Prayer for Interim Relief),

C.A.No.3308/2004(S.XIV)(With Prayer for Interim Relief),

C.A.No.3309/2004(S.XIV)(With Prayer for Interim Relief),

C.A.No.3310/2004(S.XIV)(With Prayer for Interim Relief),

C.A.No.3311/2004(S.XIV)(With Prayer for Interim Relief),

C.A.No.3312/2004(S.XIV)(With Prayer for Interim Relief),

C.A.No.3313/2004,

(with application for substitution and c/delay in filing substitution and setting aside an abatement and

with prayer for interim relief)

C.A.No.3314/2004(S.XIV)(With Prayer for Interim Relief),

C.A.No.3315/2004(S.XIV)(With Prayer for Interim Relief),

C.A.No.3316/2004(S.XIV)(With Prayer for Interim Relief),

C.A.No.3317/2004(S.XIV),C.A.No.3318/2004(S.XIV),C.A.No.3319-3328/2004(S.XIV)

(With Appl.(s) for substitution of deceased petitioner),

C.A.No.3330/2004(S.XIV)(With Prayer for Interim Relief),

C.A.No.3331/2004(S.XIV)(With Prayer for Interim Relief),

C.A.No.3332/2004(S.XIV),C.A.No.3333/2004(S.XIV),C.A.No.3334/2004(S.XIV)

,C.A.No.3335-3337/2004(S.XIV)(With Office Report),C.A.No.3329/2004(S.XIV)

WITH C.A.No.3338-3351/2004(S.XIV),C.A.No.3352-3353/2004(S.XIV)

,C.A.No.3354/2004(S.XIV)(With Office Report),C.A.No.3355/2004(S.XIV)

,C.A.No.3356/2004(S.XIV)(With Office Report),C.A.No.3357/2004(S.XIV)

(With Prayer for Interim Relief),C.A.No.3359-3366/2004(S.XIV)

(With Appl.(s) for substitution and directions and with office report),

C.A.No.3367/2004(S.XIV)(With Prayer for Interim Relief),

C.A.No.3368/2004(S.XIV)(With Prayer for Interim Relief),

C.A.No.3374/2004(S.XIV)(With Office Report),C.A.No.3375-3378/2004(S.XIV)

(With Office Report),C.A.No.3379/2004(S.XIV),C.A.No.3371/2004(S.XIV)

(With Prayer for Interim Relief),C.A.No.3372/2004(S.XIV)

(With Prayer for Interim Relief),C.A.No.3373/2004(S.XIV)

(With Prayer for Interim Relief),C.A.No.3380/2004(S.XIV)

(With Prayer for Interim Relief),C.A.No.3381/2004(S.XIV)

(With Prayer for Interim Relief),C.A.No.3382/2004(S.XIV)

(With Office Report),C.A.No.3369/2004(S.XIV),C.A.No.3384/2004(S.XIV)

(With Office Report),C.A.No.3385/2004(S.XIV),C.A.No.3386/2004(S.XIV)

,C.A.No.3387/2004(S.XIV),C.A.No.3388/2004(S.XIV)(With Office Report),

C.A.No.3389/2004(S.XIV),C.A.No.3391/2004(S.XIV),C.A.No.3390/2004(S.XIV)
,C.A.No.3392/2004(S.XIV),C.A.No.3393-3394/2004(S.XIV),C.A.No.3397/2004(S.XIV)(With
Office Report),C.A.No.3398-3399/2004(S.XIV)(With Office Report),C.A.No.3396/2004(S.XIV)

(With Office Report),C.A.No.3400/2004(S.XIV)(With Office Report),
C.A.No.3401/2004(S.XIV),C.A.No.3402/2004(S.XIV)(With Office Report),
SLP(C)No.12073/2004(S.XIV)(With Appl.(s) for for c/delay in refiling SLP and with
office report),
SLP(C)No.12075/2004(S.XIV)(With Appl.(s) for for c/delay in refiling SLP and with
office report),
C.A.No.4908/2004(S.XIV)(With Office Report),SLP(C)No.16318/2004(S.XIV)
(With Appl.(s) for c/delay in filing SLP and with office report),
SLP(C)No.16319/2004(S.XIV)(With Appl.(s) for c/delay in filing SLP),
SLP(C)No.16320/2004(S.XIV)(With Appl.(s) for c/delay in filing SLP),
SLP(C)No.19846/2004(S.XIV)(With Appl.(s) for c/delay in filing SLP and with office
report), SLP(C)No.19848/2004(S.XIV)(With Appl.(s) for c/delay in filing SLP),
SLP(C)No.19851/2004(S.XIV)(With Appl.(s) for for c/delay in refiling SLP and with
office report), SLP(C)No.19852/2004(S.XIV)(With Appl.(s) for for c/delay in refiling
SLP and with office report), SLP(C)No.19854/2004,SLP(C)No.5558/2004(S.XIV)(With
Appl.(s) for c/delay in filing SLP and with Prayer for
Interim Relief),SLP(C)No.22411/2004(S.XIV)(With Appl.(s) for c/delay in filing SLP
and with office report), SLP(C)...CC 5865/2004(CC 5865)(S.XIV)(With Appl.(s) for for
c/delay in refiling SLP and with office report),
SLP(C)No.23819/2004(S.XIV)(With Appl.(s) for for c/delay in refiling SLP and with
office report), C.A.No.7759/2004(S.XIV)(With Prayer for Interim Relief and Office
Report), C.A.No.7766-7771/2004(S.XIV),C.A.No.7760-7762/2004(S.XIV)
,C.A.No.7765/2004(S.XIV)(With Appl.(s) for substitution),
C.A.No.7794/2004(S.XIV)(With Prayer for Interim Relief),
C.A.No.7772/2004(S.XIV)(With Prayer for Interim Relief),
C.A.No.7774/2004(S.XIV),C.A.No.7773/2004(S.XIV),C.A.No.7777/2004(S.XIV)
(With Prayer for Interim Relief),C.A.No.7776/2004(S.XIV)
,C.A.No.7775/2004(S.XIV)(With Prayer for Interim Relief),
C.A.No.7795/2004(S.XIV),C.A.No.7778/2004(S.XIV)(With Prayer for Interim Relief),
C.A.No.7779/2004(S.XIV)(With Prayer for Interim Relief),
C.A.No.7780/2004(S.XIV)(With Prayer for Interim Relief),

C.A.No.7781-7783/2004(S.XIV),C.A.No.7784/2004(S.XIV),C.A.No.7785-7791/2004
,C.A.No.7792/2004(S.XIV),C.A.No.7793/2004(S.XIV)(With Prayer for Interim Relief),
C.A.No.3075/2005(S.XIV)(With Prayer for Interim Relief),
C.A.No.3076/2005(S.XIV),C.A.No.3079/2005(S.XIV),C.A.No.3083-3084/2005(S.XIV)
,C.A.No.3085/2005(S.XIV)(With Prayer for Interim Relief),
C.A.No.3086/2005(S.XIV)(With Prayer for Interim Relief),
C.A.No.3087-3094/2005(S.XIV)

WITH CIVIL APPEAL NO. 4117/2003(with appln(s) for c/delay in filing
SLP)

Date: 09/08/2005 These Appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ASHOK BHAN

HON'BLE MR. JUSTICE S.B.SINHA

For the Parties
(for UOI)

Mr. R.Mohan, ASG
Mr. V.G.Pragasam, Adv.
Mrs. Anil Katiyar, Adv.
Mr. R.Nedumaran, Adv.
Mr. Thaman Jayam, Adv.
Mr. M.A.Chinnaswami, Adv.
Mr. V.Krishnamoorthy, Adv.
Mrs. Anjani Aiyagari, Adv.
Mrs. Rekha Pandey, Adv.
Mr. M.P.S.Tomar, Adv.
Mrs. Kiran Bhardwaj, Adv.

Mr. Angand, Adv.

Mr. Sanjay Poddar, Adv.

Mr. D.S.Mahra, Adv.

Mr. R.F.Nariman, Sr. Adv.

Mr. R.Venkataramani, Sr. Adv.

Mr. Uday U. Lalit, Sr. Adv.

Mr. Avatar Singh Rawat, Adv.

Mr. Anil Nag, Adv.

Mr. Aditya Sharma, Adv.

Mr. S.N.Singh, Adv.

Mr. K.S. Rana, Adv.

Mrs. Sunita Sharma, Adv.

Mr. Vishnu B. Saharya, Adv.

Mr.Viresh B. Saharya, Adv.

For M/s Saharya & Co.

Mr. Balraj Dewan, Adv.

Mr. M.S.Panwar, Adv.

Mr. Naresh Kaushik, Adv.

Mrs. Lalitha Kaushik, Adv.

Mr. Vipin Gogia, Adv.

Ms. Jaspreet Gogia, Adv.

Mr. Rana Ranjit Singh, Adv.

Mr.Chittaranjan Panda, Adv.

Mr. Sanjay Sharawat, Adv.

Mr. Nitin Bhardwaj, Adv.

Mr. Prakash Shrivastava, Adv.

Mr. S.K. Raut, Adv.

Mr. K.K. Gupta, Adv.

Mr. Annam D.N.Rao, Adv.

Mr. M.P. Shorawala, Adv.

Mr. Ambrish Kumar, Adv.

Ms. Rachna Srivastava, Adv.

Mr. Bijender Singh, Adv.

Mr. M.Qamaruddin, Adv.

Mrs. M.Qamaruddin, Adv.

Mr. Ambar Qamaruddin, Adv.

Mr. Rameshwar Prasad Goyal, Adv.

UPON hearing counsel the Court made the following

O R D E R

Delay condoned. Substitutions allowed.

Applications for declaring the respondent No.2 and appellant No.2 as major in Civil Appeal No. 3426/2004 and Civil Appeal No.7771/2004 respectively are allowed.

Applications for deletion of name of appellant No.3 in CA No.3362/2004 and Appellant No.7 in CA 3365/2004 are allowed.

Application for exemption from service of Notice of Lodgment of Petition of Appeal on proforma respondents in Civil Appeal Nos.7785-7791/2004 is allowed.

Mr. R.Mohan, ASG, started his arguments at 11.20 a.m. and concluded at 2.25 p.m. whereafter Mr. R.F.Nariman, Sr. Adv. commenced his arguments and concluded at 3.30 p.m.

Then Mr. R.Venkataramani, Sr. Adv. and Mr. Naresh Kaushik,
Adv. addressed the Court for a while.

Hearing concluded.

Judgment reserved.

(J.S.Rawat)

Court Master

(KanwalSingh)

Court Master

List of Books cited

1. 2004 (8) SCC 270 (Para 14)
2. 2003 (10) SCC 167
3. 1998 DLT 76 498
4. 2004 (10) SCC 627
5. ILR 79 (2) DELHI 129
6. 1997 (6) SCC 41