

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).10425-10427/2008
(From the judgement and order dated 31/03/2008 in CMWP Nos.3271, 5210 and 7827/2008 of The HIGH COURT OF JUDICATURE AT ALLAHABAD, LUCKNOW BENCH)

STATE OF U.P.& ANR.

Petitioner(s)

VERSUS

BASTI SUGAR MILLS CO.LTD. & ORS.

Respondent(s)

AND

SPECIAL LEAVE PETITION (CIVIL) NOS. 25361-25363/2007

(With prayer for interim relief and office report)
(With appln(s) for exemption from filing O.T. and prayer for interim relief)

With
I.A. No.1 in & SLP(C) No...../2007 (CC:12159)
(For permission to file SLP)

I.A. No.1 in & SLP(C) No...../2007 (CC:12358-12360)
(For permission to file SLP and with prayer for interim relief and office report)

SLP(C) No.23775/2007
(With appln. for permission to file lengthy list of dates, exemption from filing OT and with prayer for interim relief and office report)

SLP(C) No.23804/2007
(With appln. for permission to place on record subsequent facts and with prayer for interim relief and office report)

SLP(C) No.23884/2007
(With appln. for permission to file lengthy list of dates and exemption from filing OT and with prayer for interim relief and office report)

I.A. No.1 In & SLP(C)/2007 (CC:12742)
(With appln. for permission to file SLP and with prayer for interim relief and office report)

I.A. No.1 In & SLP(C)/2007 (CC:12815)

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(With appln. for permission to file SLP and with prayer for interim relief and office report)

I.A. No.1 In & SLP(C)/2007 (CC:12819)
(With appln. for permission to file SLP and with prayer for interim relief and office report)

C.A. No.7508/2005
(Office report on default)

C.A. Nos.7509-7510/2005
(With appln. for permission to file addl. documents and impleading party and discharge of advocate-on-record)

C.A. No.150/2007

C.A. No.2664/2007
(With office report)

S.L.P.(C) No.2248/2008
(With prayer for interim relief and office report)

S.L.P.(C) No.2251/2008
(With prayer for interim relief and office report)

S.L.P.(C) No.2252/2008
(With appln. for permission to file SLP)

S.L.P.(C) Nos.372-381/2008
(With appln. for bringing on record addl. documents and exemption from filing OT and c/delay in filing process fee and impleadment and clarification/modification of court's order and directions and permission to file addl. documents and office report)

Cont.Pet.(C) No.169/2006 in C.A. No.7508/2005
(With office report)

Cont.Pet.(C) No.253/2007 in C.A. No.7508/2005

Cont.Pet.(C) No.254/2007 in C.A. No.7508/2005

S.L.P.(C) Nos.7505-7506/2008
(With appln. for directions and office report)

S.L.P.(C) No...../2008 (CC:5516)
(With I.A. No.1 - c/delay in filing SLP)

S.L.P.(C) Nos.10516-10517/2008
(With prayer for interim relief and office report)
(With I.A. Nos. 1-2 - appln. for impleadment)

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Date: 15/05/2008 These Petitions were called on for hearing today.

CORAM :

HON'BLE Dr. JUSTICE ARIJIT PASAYAT
HON'BLE MR. JUSTICE P. SATHASIVAM

For Appearing parties:

Mr. Viplav Sharma,Adv.
Mr. Garvesh Kabra,Adv.
Mr. Ravi Prakash Mehrotra,Adv.

Mr. K.K. Venuogpal, Sr.Adv.
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Ms. Bindu K. Nair,Adv.
Mr. K.R. Sasiprabhu,Adv.

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Mr. Iftekhar Ahmad,Adv.
Mr. P. Narasimhan,Adv.

Mr. Jayant Bhushan, Sr. Adv.
Mr. Ashutosh Khaitan,Adv.
Mr. Ashu Kansal,Adv.
Ms. Tania Sharma,Adv.

Mr. Umesh Kumar Khaitan,Adv.

Mr. Harish N. Salve, Sr.Adv.
Mr. Ankur Chawla,Adv.
Mr. Jayant Mohan,Adv.
Mr. Rahul Pratap,Adv.
Mr. Vikas Mehta,Adv.
Mr. Siddharth Choudhury, Adv.

Petitioner-in-Person (N.P.)
(In CC:12742/2007)

Petitioner-in-Person (N.P.)
(In SLP(C) No.2248/2008)

Mr. M.N. Krishnamani, Sr. Adv.
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Ms. Ratna Kaul, Adv.
Mr. Prashant Kumar,Adv.

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Mr. Vikas Mehta,Adv.

Mr. Jayant Bhushan, Sr.Adv.
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Mr. Umesh Kumar Khaitan,Adv.

Mr. Vishnu Sharma,Adv.

M/s. AP & J Chambers

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Ms. Sunita Pandit, Adv.
Mr. Rajeev K.Bharti, Adv.

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Mr. R.N. Karanjawala, Adv.
Ms. Ruby Singh Ahuja, Adv.
Mr. Manu Aggarwal, Adv.

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Mr. Abeer Kumar, Adv.
Mr. Sanjeev Kumar, Adv.
Mrs. Manik Karanjawala, Adv.

Mr. Vikas Singh, A.S.G.
Mr. S. Wasim A. Qadri, Adv.
Mr. Jubair Ahmad Khan, Adv.
Mrs. Anil Katiyar, Adv.

Mr. Ajay Kumar Talesara, Adv.

Mr. Syed Shahid Hussain Rizvi, Adv.
Mr. Sanjeev Singh, Adv.
Mr. Uday Kumar, Adv.
Ms. Hina Rizvi, Adv.

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Mr. Uday Kumar, Adv.
Ms. Hina Rizvi, Adv.

Mr. K.K. Venugopal, Sr. Adv.
Mr. Syed Shahid Hussain Rizvi, Adv.
Mr. Sanjeev Singh, Adv.
Mr. Uday Kumar, Adv.
Ms. Hina Rizvi, Adv.

UPON hearing counsel the Court made the following
ORDER

Having heard learned counsel for the parties, as an interim measure, we direct that the for the crushing year 2007-2008 the rate fixed by the Lucknow Bench of the Allahabad High Court shall be applicable and the manufacturers shall pay the amount payable at the rate fixed by the Lucknow Bench after adjustment of amount already paid in that regard. The balance, if any, shall be paid within a period of four weeks.

The order dated 27th February, 2008 passed by this Court in SLP(Civil) No. 371-382/2008, in regard to certain cases of UP, shall also be applicable for the present year in respect of cases relating to the State of Uttarakhand for the crushing year 2006-2007. The order passed in relation to the crushing year 2007-2008, as passed by the Lucknow Bench of the Allahabad High Court shall also operate so far as crushing year 2007-2008 is concerned. There shall be no refund claimed for either of the crushing years in case any extra payment has been made. Today's order shall also be made applicable to the Special Leave Petitions (Civil)

Nos. 25361-25363/2007 which are directed against the order dated 15.11.2007 of the Lucknow Bench of the Allahabad High Court.

List all these matters in July, 2008.

(Sukhwinder)
Sr.P.A.

(Vijay Aggarwal)
Court Masters