

ITEM NO.101

COURT NO.1

SECTION IX

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(s). 4937-4940 OF 1998

STATE OF GUJARAT

Appellant (s)

VERSUS

MIRZAPUR MOTI KURESHI KASSAB JAMAT & ORS

Respondent(s)

(With office report )

WITH

Civil Appeal NOS. 4941-4944 of 1998 (Ahimsa Army Manav Kalyan J.D. C.

Trust vs. Mirzapur Moti Kureshi & Ors.) and

Civil Appeal NO. 4945 of 1998 (Akhil Bharat Krishi Goseva Sangh vs.

Mirzapur Moti Kuresh K. Jamat & Ors.).

Date: 19/07/2005 These Appeals were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE ARUN KUMAR

HON'BLE MR. JUSTICE G.P. MATHUR

HON'BLE MR. JUSTICE C.K. THAKKER

HON'BLE MR. JUSTICE P.K. BALASUBRAMANYAN

For Appellant(s)

in CA 4937-40/98

Dr. L M Singhvi, Sr. Adv.

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Mr. Manish Singhvi, Adv.  
Mr. Rutwick Panda, Adv.  
Mr. Jasraj Shrishrimal, Adv.  
Ms. Aruna Gupta, Adv.  
Ms. Pinky Behera, Adv.  
Ms. Monica Bapna, Adv.  
Ms. Sadhna Sandhu, Adv.

in CA 4941-44/98

Dr. Rajeev Dhavan, Sr. Adv.  
Mr. Sushil Kumar Jain, Adv.  
Mr. A P Dhamija, Adv.  
Mr. Sarad Singhania, Adv.  
Mr. H D Thanvi, Adv.  
Mr. Ram Niwas, Adv.  
Mr. Puneet Jain, Adv.  
Ms. Mona Rajvanshi, Adv.  
Mr. Jasraj Shree Shreemal, Adv.

in CA 4945/98

Mr. S K Dholkia, Sr. Adv.  
Mr. R S Suri, Adv.  
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Mr. Vinay K Shailendra, Adv.  
Ms. Prerna Chawla, Adv.

2

Mr. T S Chaudhary, Adv.

For Respondent(s)

Mr. Ramesh P Bhatt, Sr. Adv.  
Mr. M.N. Shroff, Adv.  
Ms. Tanuja Sheel, Adv.  
Mr. M R Bhatt, Adv.  
Mr. Chirag M Shroff, Adv.  
Mr. M S Girish, Adv.

Mr. Sunil Kumar Jain ,Adv.(NP)

Mrs Sheela Goel ,Adv.(NP)

UPON hearing counsel the Court made the following

O R D E R

I.A. Nos. .... /2005 filed in Court by the

appellant-State of Gujarat in C.A. Nos. 4937-4940/1998 are

allowed. The appellant is permitted to refer to and rely

upon the documents filed in connected C.A. Nos. 4941-

4944/1998.

Heard the learned counsel for the parties for some

time.

It is pointed out that the present cases may call

for re-consideration of some of the earlier decisions of this

Court which are by Constitution Benches and hence it will be

in the fitness of things if the matters are placed for

hearing before a Bench of seven Judges.

It is also prayed that looking to the nature of the

questions arising for decision, the matters may be heard at

an early date.

Be listed accordingly.

The parties propose to file additional documents.

The appellants are allowed one week's time and the

3

respondents one week thereafter for the purpose.

(D.P. WALIA)

(PREM PRAKASH)

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