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ITEM NO.301+303

COURT NO.2

SECTION XIV

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.2453/2007

STATE OF KARNATAKA

Appellant(s)

VERSUS

STATE OF T.NADU & ORS.

Respondent(s)

(With appln. (s) for directions and taking on record the additional affidavit and taking on record additional documents and office report)

WITH C.A. No.2456/2007

(With appln.(s) for directions and modification of Court's order and intervention and permission to file additional documents and taking additional document on record and office report)

C.A. No.2454/2007

(With appln.(s) for stay and directions and office report)

CONMT. PET.(C) No.225/2013 in C.A. No.2456/2007

Date : 21/03/2017 These appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DIPAK MISRA

HON'BLE MR. JUSTICE AMITAVA ROY

HON'BLE MR. JUSTICE A.M. KHANWILKAR

For Appellant(s) Mr. Fali S. Nariman, Sr. Adv.

Mr. S.S. Javali, Sr. Adv.

Mr. Madhusudan R. Naik, Adv. Gen.

Mr. Mohan V. Katarki, Adv.

Mr. S.C. Sharma, Adv.

Mr. V. N. Raghupathy, AOR

Mr. R.S. Ravi, Adv.

Mr. J.M. Gangadhar, Adv.

Mr. Ranvir Singh, Adv.

Mr. Abdul Azeem Kalebudde, Adv.

Mr. Brijesh Kalappa, Adv.

CA 2456/2007 Mr. B. Balaji, AOR

CA 2454/2007 Mr. G. Prakash, AOR

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For Respondent(s) Mr. Pankaj Kr. Mishra, Adv.

Mr. A. S. Bhasme, AOR

Mr. Shekhar Naphade, Sr. Adv.

Mr. Subramonium Prasad, ASG

Mr. G. Umopathy, Adv.

Mr. C. Paramasivam, Adv.

Mr. B. Balaji, AOR

Mrs. Pinky Anand, ASG

Mr. S. Wasim A. Qadri, Adv.

Mrs. Madhavi Diwan, Adv.

Mr. Ajay Sharma, Adv.

Mr. Zaid Ali, Adv.

Ms. Snidha Mehra, Adv.

Mr. M.K. Maroria, Adv.

Mr. D. S. Mahra, AOR

Mr. Rajesh Mahale, AOR

Mr. Ramesh Babu M. R., AOR

Mr. V. G. Pragasam, AOR

Mr. P.K. Manohar, Adv.

Mr. Praburamasubramanian, Adv.

Mr. Jaideep Gupta, Sr. Adv.

Mr. G. Prakash, AOR

Mr. Jishnu M.L., Adv.

Mrs. Priyanka Prakash, Adv.

Mrs. Beena Prakash, Adv.

Mr. Manu Srinath, Adv.

Mr. Fali S. Nariman, Sr. Adv.

Mr. S.S. Javali, Sr. Adv.
Mr. Madhusudan R. Naik, Adv. Gen.
Mr. Mohan V. Katarki, Adv.
Mr. S.C. Sharma, Adv.
Mr. V. N. Raghupathy, AOR
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Mr. J.M. Gangadhar, Adv.
Mr. Ranvir Singh, Adv.
Mr. Abdul Azeem Kalebudde, Adv.
Mr. Brijesh Kalappa, Adv.
Ms. Aparna Bhat, AOR
Ms. Supreeta Sharanagouda, AOR

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UPON hearing the counsel the Court made the following
O R D E R

I.A. No.21/2014 & I.A. No...../2017 in C.A. No.2454/2007
Though these interlocutory applications filed by the
State of Tamil Nadu have not been listed, they are taken on
Board.
The basic prayer in these interlocutory applications
is that the State of Kerala should not utilize the water more
than that has been allocated to it by the award under
challenge and also to stop certain constructions.
On being asked, Mr. Jaideep Gupta, learned senior
counsel appearing for the State of Kerala has submitted that
it has no intentions to consume more water than that has been
allocated to it under the award and the constructions which
are being raised or likely to be raised would be only for the
purpose of utilization of the water that has been allocated.
Needless to say, the present statement made by the learned
senior counsel is subject to the appeal that has been filed
and is pending before this Court.
At this juncture, Mr. Shekhar Naphade, learned
senior counsel appearing for the State of Tamil Nadu has
submitted that it would be appropriate if the State of Kerala
would send a communication in this regard.
Having heard learned counsel for the State of Tamil
Nadu and the State of Kerala, we think it is seemly that the
State of Kerala shall send a communication within a fortnight
stating what it has expressed before this Court.
The interlocutory applications stand disposed of
accordingly.

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Civil Appeal Nos.2453, 2456 and 2454 of 2007 & C.P.(C)
No.225/2013 in C.A. No.2456/2007
Let the appeals along with the contempt petition be
listed for final hearing on 11 th
July, 2017.
Learned counsel appearing for the various States
assured this Court that they will complete the arguments
within fifteen working days. When it is said fifteen days,
it means hearing days i.e. Tuesday to Thursday.
Mr. Subhash Chandra Sharma, learned counsel
assisting Mr. Fali S. Nariman, learned senior counsel
appearing for the State of Karnataka has filed revised
written notes of submissions. The same is taken on record.
The written notes which had been filed on the earlier
occasion be returned to Mr. Sharma.
The interim order passed on 4 th
January, 2017, to
continue till the next date of hearing.
(Chetan Kumar)
Court Master (H.S. Parasher)
Court Master