

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

RECORD OF PROCEEDINGS

ORIGINAL SUIT No. 2/2001

UNION OF INDIA

Petitioner(s)

VERSUS

STATE OF JAMMU & KASHMIR & ANR.

Respondent(s)

(With office report)

Date: 18/08/2006 This Petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE S.H. KAPADIA

HON'BLE MR. JUSTICE C.K. THAKKER

For Petitioner(s) Mr. Vikas Singh, ASG

Mr. Ravi P. Mehrotra, Adv.

Ms. Anil Katiyar, Adv.

Mr. B.V. Balaram Das,Adv.

For Respondent(s) Mr. Anis Suhrawardy,Adv.

UPON hearing counsel the Court made the following

O R D E R

The original suit is disposed of.

[Usha Bhardwaj]

Court Master

[V.P. Tyagi]

Asstt.Registrar

Signed order is placed on the file.

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

ORIGINAL SUIT NO. 2 OF 2001

Union of India

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Versus

State of Jammu & Kashmir & Anr.

...Respondent(s)

O R D E R

As indicated in the order dated 4th August, 2006 presently the issue of jurisdiction of the Government of Jammu and Kashmir to constitute a Commission in respect of the incident involving the Army, is academic in nature since the enquiry stood concluded long time back and nothing was found against the officer. Mr. Vikas Singh learned Additional Solicitor General submits that the question of law regarding the jurisdiction of the State Government may still be examined and decided. We are, however not inclined to decide this question which is academic now. We leave the question open to be decided in an appropriate case and accordingly dispose of the original suit.

.....CJI.
(Y.K. SABHARWAL)

.....J.
(S.H. KAPADIA)

.....J.
(C.K. THAKKER)

New Delhi,
August 18, 2006