

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).12526-12532/2008

(From the judgment and order dated 28/04/2008 in CWJC No. 6516-6519/08
CWJC No. 6718-6720/2008 of The HIGH COURT OF PATNA)

COAL INDIA LTD. & ORS.

Petitioner(s)

VERSUS

M/S.MAA MUNDESHWARI CARBON PVT.LTD.& ORS

Respondent(s)

(With appln(s) for exemption from filing c/c of the impugned Judgment and
prayer for interim relief)

WITH

T.P.C)Nos.550-561/2008 - With appln. for ex-parte stay & Office Report
SLP(C)No.13167/2008 - With prayerfor interim relief & Office Report

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

CORAM :

HON'BLE MR. JUSTICE ALTAMAS KABIR
HON'BLE MR. JUSTICE HARJIT SINGH BEDIFor Petitioner(s) Mr. G.E. Vahanvati, SG.
Gp. Capt.Karan Singh Bhati,Adv.
Ms. Aishwarya Bhati, Adv.T.P.(C)558-60/08: Mr. K.N. Gupta, Sr.Adv.
Gp. Capt. Karan Singh Bhati, Adv.
Ms. Aishwarya Bhati, Adv.T.P.(C)550-570/08: Mr. G.E. Vahanvati, SG.
Gp. Capt. Karan Singh Bhati, Adv.
Ms. Aishwarya Bhati, Adv.SLP(C)13167/08: Mr. Jaydeep Dhankar, Sr.Adv.
Gp. Capt. Karan Singh Bhati, Adv.
Ms. Aishwarya Bhati, Adv.
Mr. Ashutosh, Adv.For Respondent(s) Mr. Rohington Nariman, Sr.Adv.
1-3 in 12526-32/08: Mr. S.D. Sanjay, Adv.
Mr. Pankaj Bhagat, Adv.
Mr. D. Bharuka, Adv.
Mr. Navdeep Vohra,Adv.

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T.P.(C)550-561/08: Mr. Altaf Ahmed, Sr.Adv.
for RR.1-2: Mr. N.D.B. Raju, Adv.
Ms. Bharathi Raju, Adv.
Mr. N. Ganpathy, Adv.SLP(C)13167/08: Mr. Altaf Ahmed, Sr.Adv.
for RR.1-2 Mr. N.D.B. Raju, Adv.
Ms. Bharathi Raju, Adv.

Mr. N. Ganpathy, Adv.

UPON hearing counsel the Court made the following
ORDER

Let notice issue on Transfer Petition (C) Nos. 550-561/08.

Mr. D. Bharukha, advocate-on-record appears on caveat and submits that he has instructions to accept notice on behalf of the Respondents in transfer petitions arising out of A.S.T. Nos. 961, 962 and 964 of 2008 (pending in the High Court of Calcutta). Let notice of the petitions be served on Mr. Bharuka as far as the said respondents are concerned and it will be deemed that service on them has been completed.

In Transfer Petition (C) No. 561/08, Mr. N. Ganpathy, who is on caveat on behalf of respondent Nos. 1 & 2 takes notice. Hence notice on respondents in this matter will be deemed to have been completed. The respondents in these matters will be entitled to file their counter affidavits within six weeks from date. Rejoinder, if any, be filed within two weeks thereafter.

SLP(C) Nos. 12526-12532/08

Let notice issue on the Special Leave Petitions.

Since Mr. Navdeep Vora, learned counsel in SLP(C) Nos. 12530-12532/08 appears on caveat on behalf of the respondents, let notice be served on them, and notice as far as the said respondents are concerned will be deemed to have been completed.

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Let notice issue in the usual course and also by way of dasti in SLP(C) No.12526-12529/08.

In the meantime, there will be stay of operation of the impugned order of the High Court.

SLP(C) No. 13167 of 2008

Let notice issue.

Since Mr. Ganpathy, learned counsel appears on caveat, let notice be served on Mr. Ganpathy and it will be deemed that service of notice has been completed on the respondents.

There will be stay of operation of the impugned directions of the High Court until further orders. The respondents will be entitled to file their counter affidavits within six weeks from date. Reply, if any, be filed within two weeks thereafter.

Let all these matters be taken up together, since the pleadings are complete. This will not prevent the respondents from entering into FS Agreements in terms of the policy, and, in the event, such Agreements are signed, the petitioners in all the matters shall supply coal to the respondents who have signed such Agreements as indicated in the policy. This would be subject to the final decision in all the matters which are taken up today. In the event any orders of allocation have been made in the months of April and May, 2008, the same should not be disturbed. These directions will, however, not be applied as far as SLP(C) Nos. 12526-12532/08 are concerned.

(Ganga Thakur)
P.S. to Registrar

(Radha R. Bhatia)
Court Master