

ITEM NO.501
(PH)

COURT NO.1

SECTION XVI

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

Petition(s) for Special Leave to Appeal (C) No(s).3660/2008

(Arising out of impugned final judgment and order dated 17/12/2007 in CWP No. 14646/2007 passed by the High Court of Punjab & Haryana at Chandigarh)

STATE OF PUNJAB

Petitioner(s)

VERSUS

SAHIL MITTAL & ORS.
(with interim relief and office report)

Respondent(s)

WITH

SLP(C) No. 11790/2008
(With Interim Relief)

SLP(C) No. 2755/2008
(With Interim Relief and Office Report)

SLP(C) No. 5577/2008
(With Interim Relief and Office Report)

SLP(C) No. 6102/2008
(With Interim Relief and Office Report)

SLP(C) No. 14305/2008
(With Interim Relief)

Date : 18/01/2016 These petitions were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE FAKKIR MOHAMED IBRAHIM KALIFULLA
HON'BLE MR. JUSTICE A.K. SIKRI
HON'BLE MR. JUSTICE S.A. BOBDE
HON'BLE MRS. JUSTICE R. BANUMATHI

For Petitioner(s) Dr. Rajiv Dhawan, Sr.Adv.
Mr. Sanchar Anand, Adv.
Ms. Aprajita Singh, Adv.
Mr. Apoorv Singhal, Adv.
Mr. Kuldip Singh, Adv.

Mr. Sanjay Sharawat, Adv.

Mr. Rakesh Dwivedi, Sr.Adv.
Ms. Madhu Moolchandani,Adv.

SLP(C) No.14305/2008:Mr. Raju Ramachandran, Sr.Adv.
Mr. Ritin Rai, Adv.
Ms. Sadhvi Mohindru, Adv.
Mr. V. K. Monga,Adv.
Ms. Mythili Vijay Kumar Thakare, Adv.
Mr. V. K. Monga,Adv.

For Respondent(s) Mr. Raju Ramachandran, Sr.Adv.
Mr. Ritin Rai, Adv.
Ms. Sadhvi Mohindru, Adv.
Mr. V. K. Monga,Adv.
Ms. Mythili Vijay Kumar Thakare, Adv.
Mr. Vijay Aditya Narayan, Adv.

Mr. Sanjay Bansal, Adv.
Mr. Reepak Kansal, Adv.
Mr. G. K. Bansal,Adv.

Ms. Madhu Moolchandani,Adv.

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

SLP(C) No.5577/2008:

A substantial question of law arises for our consideration in these petitions including the question whether the decision rendered by a three Judge Bench of this Court in Bal Patil & Anr. vs. Union of India & Ors. reported in 2005 (6) SCC 690 is legally correct. Unfortunately, however, no one appears on behalf of the respondents. Mr. Dwivedi in fairness suggests that keeping the importance of the matter the Union of India could be added as a party respondent to the Special Bench and a notice issued to the learned Attorney General to assist us. In addition, we are of the view that we may require an Amicus Curiae to assist us in arriving at a correct conclusion. We accordingly, accept the oral prayer made by Mr. Dwivedi and permit addition of the Union of India as a

party respondent. Mr. B.V. Balram Das, advocate is directed to accept notice on behalf of the Union of India. At the same time, we appoint Shri T.R. Andhyarujina learned senior counsel as Amicus Curiae with a request to him to assist us in the matter. The Registry shall furnish to Shri Andhyarujina, learned senior counsel a complete set of papers in the case which shall stand adjourned to be listed again after four weeks.

List the matters again after four weeks.

(USHA BHARDWAJ)
AR-CUM-PS

(RAJINDER KAUR)
COURT MASTER