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W.P(C)No. 43 OF 1998

ITEM No. 1A.

Court No. 1

SECTION X

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

WRIT PETITION (Civil) No. 43 of 1998@@
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Chandra Prakash & Ors.

Petitioner(s)

VERSUS

State of U.P. & Ors.

Respondent(s)

With I.A. Nos. 1,2, 5-8, 9-10, 11-12, 13,14,15,16-17,18 to 20,
21-22, 23 & 24 in W.P. (C) No. 43 of 1998.

With W.P.(C) Nos. 237/1998, 220/1998, 276/1998, 532/1998, 539/1998,
547/1998, 176/1999, 229/1999 and 299/1999.

(Heard by Hon'ble CJI, Hon'ble Lahoti, Hegde, Ruma Pal and
Pasayat,JJ.)

Date : 04/04/2002 These cases were called on for pronouncement
of judgment today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE R.C. LAHOTI
HON'BLE MR. JUSTICE N. SANTOSH HEGDE
HON'BLE MRS. JUSTICE RUMA PAL
HON'BLE MR. JUSTICE ARIJIT PASAYAT

For Petitioner (s) Mr. M.C. Dhingra,Adv.@@
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in WP 43/98: Mr. Rajeev Sharma,Adv.
Mr. Rajeev Sharma,Adv.

in WP 220/98: Mr. M.C. Dhingra, Adv.

in WP 237, 539/98: Mr. Rajeev Sharma, Adv.

in WP 276/98 &
532/98: Mr. M.C.Dhingra, Adv.

in WP 547/98: Mr. Shail Ahmed Syed,Adv.

in WP 176/99: Mr. Jitendra Mohan Sharma, Adv.

in WPs.229 & 299/99: Mr. K.K. Mohan, Adv.

For State of U.P.: Mr. Kamalendra Misra, Adv.@@
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Ms. Chitra Markandaya,Adv.
Mr. R.C. Verma, Adv.
Mr. Ashok K. Srivastava, Adv.

For Intervenors: Ms. Vijayalakshmi Menon, Adv. @@
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For Applicants/Respondents: @@
CCCCCCCCCCCCCCCCCCCCCCCCCCCC
(in WP 43/98)

Mrs. Rani Chhabra, Adv.

in I.A.5: Mr. C.D. Singh, Adv.
Mr. S.Chandra Shekhar, Adv.
Dr. I.P. Singh, Adv.
for Mr.Anip Sachthey, Adv.

in I.A.6: Mr. Praveen Swarup, Adv.

in I.A.7: Mr. S.K. Verma, Adv.

in I.A.8: Mr. Prashant Choudhary, Adv.

in I.A.9-12,16-17 &
19-22: Ms. Geetanjali Mohan, Adv.

in I.A.13: Mr. C.D. Singh, Adv.
Dr. I.P. Singh, Adv.
for Mr.Anip Sachthey, Adv.

in I.A.14: Mr. Rajiv K. Garg, Adv.
Mr. C.D. Singh, Adv.
Mr. Prakash Singh, Adv.
Dr. I.P. Singh, Adv.
for Mr. Pramod Swarup, Adv.

For Applicants/Respondents: @@
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in I.A.15: Mr. C.D.Singh, Adv.
Dr. I.P.Singh, Adv.
for Mr. Pramod Swarup, Adv.

in I.A.18: Ms. Mridula Ray Bhardwaj, Adv.

in I.A.23 Mr. Irshad Ahmad, Adv.

in I.A.24: Ms. Chitra Markandeya, Adv.

in IA 1 in
IAs.26 & 28: Mr. K.S. Rana, Adv.

For res.Nos.3-49 in
WP 43/98: Mr. Prashant Chaudhary, Adv.

For Intervenors: @@
CCCCCCCCCCCCCCCC
(in WP 43/98)

Mr. Shrish Kumar Misra, Adv.

Mr. Viswajit Singh, Adv.
Mr. Prashant Kumar, Adv.
Mr. Joseph Pookkatt, Adv.
Mr. Prasenjit Keswani, Adv.

Ms. Bela Maheswari, Adv.

Mr. E.C. Vidya Sagar, Adv. (N/P)

M/s. Mitter & Mitter Co., Advs. (N/P)

Mr. Jeevan Singh, Adv.

For respondent(s)@@
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in WP 237/98: Mr. K.K. Mohan, Adv.

in WP 539/98: Ms. Geetanjali Mohan, Adv.

The Court made the following
O R D E R

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Hon'ble Mr. Justice N. Santosh Hegde pronounced the
judgment of the court thus:

"For the reasons stated above, we hold that the judgments of this Court dated 23.3.1995 and 26.7.1996 delivered by 2-Judge Bench in C.A. Nos.4438-42/95 do not reflect the correct declaration of law, being in conflict with the Judgment of the 3-Judge Bench dated 24.11.1992 in SLP No.13840 of 1992, we, further, direct that these petitions shall now be listed for disposal before a Bench of three learned Judges. Ordered accordingly."

REPORTABLE.@@
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(T.I. Rajput)
Court Master

(Shelly Sengupta)
Court Master

(Signed judgement is placed on the file)