

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 135 OF 2013
(arising out of S.L.P. (Civil) No.10852 of 2007)

CHHABI ROY (SOM) ... Appellant(s)

VERSUS

STATE OF WEST BENGAL & ORS. ... Respondent(s)

O R D E R

Leave granted.

2. The impugned order is set aside.

3. A.P.O. No. 469 of 2005 is restored to the file of the High Court for fresh consideration in accordance with law and having regard to the order passed by this Court in Civil Appeal No. 5061 of 2004 (arising out Special Leave Petition (Civil) No. 4928 of 2003) titled "Bijoli Bhattacharya Vs. State of West Bengal" dated August 6, 2004.

4. Civil Appeal is disposed of. No costs.

.....J.
(R.M. LODHA)

NEW DELHI;J.
JANUARY 8, 2013 (SUDHANSU JYOTI MUKHOPADHAYA)

:1:

Petition(s) for Special Leave to Appeal (Civil) No(s).21581/2007

(From the judgement and order dated 19/06/2007 in FMA No.25/2007 of The HIGH COURT OF CALCUTTA)

STATE OF WEST BENGAL & ORS.

Petitioner(s)

VERSUS

SUBAL CHANDRA SAHOO & ORS.

Respondent(s)

(With appln(s) for directions and impleadment and permission to file additional documents and permission to file additional affidavit and with prayer for interim relief and office report)
[FOR FINAL DISPOSAL]

WITH

SLP(C) NO. 15644 of 2008
(With appln.(s) for impleadment and office report)
[FOR FINAL DISPOSAL]

SLP(C) NO. 16517 of 2008
(With prayer for interim relief and office report)
[FOR FINAL DISPOSAL]

SLP(C) NO. 18098 of 2008
(With prayer for interim relief and office report)
[FOR FINAL DISPOSAL]

SLP(C) NO. 21619 of 2008
(With appln.(s) for c/delay in filing SLP and office report)
[FOR FINAL DISPOSAL]

SLP(C) NO. 21620 of 2008
(With appln.(s) for c/delay in filing SLP and office report)
[FOR FINAL DISPOSAL]

SLP(C) NO. 10852 of 2007
(With appln.(s) for permission to place Annexure(s) and with prayer for interim relief and office report)
[FOR FINAL DISPOSAL]

:2:

SLP(C) NO. 4625 of 2009
(With office report)
[FOR FINAL DISPOSAL]

Transfer Petition (Civil) No. 1219 of 2011
(With office report)

Date: 08/01/2013 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.M. LODHA
HON'BLE MR. JUSTICE SUDHANSU JYOTI MUKHOPADHAYA

For Petitioner(s) Mr. Kalyan Kr. Bandopadhyay, Sr. Adv.
Mr. Anip Sachthey, Adv.
Mr. Mohit Paul, Adv.
Ms. Shagun Matta, Adv.
Mr. Saakaar Sardana, Adv.

TP 1219/2011 Mr. Joydeep Mazumdar, Adv.
Ms. Sanira Sheikh, Adv.

Mr. Chiraranjan Addey, Adv.

SLP 10852/2007

Mr. Chanchal Kumar Ganguli, Adv.

For Respondent(s)

Mr. S.K. Bhattacharya, Adv.

Mr. B.P. Yadav, Adv.

Mr. Abhinav Singh, Adv.

Ms. Sarla Chandra, Adv.

Mr. Abhijit Sengupta, Adv.

Mr. Anip Sachthey, Adv.

Mr. Ranjan Mukherjee, Adv.

Mr. Soumitra G. Choudhury, Adv.

Mr. G.S. Chatterjee, Adv.

Mr. Dibyajyoti Banerjee, Adv.

Mr. Soumitra G. Choudhury, Adv.

Mr. G.S. Chatterjee, Adv.

Mr. Dibyajyoti Banerjee, Adv.

Mr. A.K. Ganguli, Sr. Adv.

Mr. Chanchal Kumar Ganguli, Adv.

Mr. Chaitanya Safai, Adv.

Ms. Sounmi Kundu, Adv.

:3:

Mr. Pijush K. Roy, Adv.

Ms. Kakali Roy, Adv.

Mr. Mithilesh Kumar Singh, Adv.

Mr. Bidhan Ch. Ghoshal, Adv.

Mr. Baisali Ghoshal, Adv.

Mr. Vijay Kumar Pandita, Adv.

Mr. Bhanwar Pal Singh Jadon, Adv.

Mr. R.D. Upadhyay, Adv.

Mr. Joydeep Mazumdar, Adv.

Ms. Sanira Sheikh, Adv.

Mr. Chiraranjan Addey, Adv.

Mr. Vivek Singh, Adv.

UPON hearing counsel the Court made the following

O R D E R

SLP (C) No. 21581 of 2007; SLP(C) No. 15644 of 2008; SLP(C) No. 16517 of 2008; SLP(C) No. 18098 of 2008; SLP(C) No. 21619 of 2008; SLP(C) No. 21620 of 2008 and SLP(C) No. 4625 of 2009

Delay condoned.

Interlocutory applications for impleadment are allowed.

Heard Mr. Kalyan Kr. Bandopadhyay, learned senior counsel for the petitioners.

Special leave petitions are dismissed.

All pending interlocutory applications, if any, stand disposed of.

SLP(C) NO. 10852 of 2007

Leave granted.

Civil Appeal is disposed of in terms of the signed order.

:4:

Transfer Petition (Civil) No. 1219 of 2011

Learned counsel for the petitioners seeks withdrawal of the
Transfer Petition.

Transfer Petition is dismissed as withdrawn.

| (Rajesh Dham)
| Court Master

| | (Renu Diwan)
| | Court Master

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(signed order in Civil Appeal arising out of
SLP(C)No.10852 of 2007 is placed on the file)