

ITEM NO.12

COURT NO.8

SECTION XVI

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

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 15039/2019

(Arising out of impugned final judgment and order dated 05-12-2018
in FMA No. 4767/2016 passed by the High Court At Calcutta)

UNION OF INDIA & ORS.

Petitioner(s)

VERSUS

RAMPADA PANJA & ORS.

Respondent(s)

(IA No. 77921/2019 - CONDONATION OF DELAY IN FILING)

WITH

SLP(C) No. 25860/2017 (XVI)

SLP(C) No. 14459/2019 (XVI)

SLP(C) No. 15304-15305/2019 (XVI)

(FOR ADMISSION and I.R. and IA No.84401/2019-CONDONATION OF DELAY
IN FILING and IA No.84402/2019-EXEMPTION FROM FILING C/C OF THE
IMPUGNED JUDGMENT)

SLP(C) No. 19602/2019 (XI-A)

(FOR ADMISSION and I.R. and IA No.111711/2019-CONDONATION OF DELAY
IN FILING)

Date : 16-10-2019 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.M. KHANWILKAR

HON'BLE MR. JUSTICE DINESH MAHESHWARI

For Petitioner(s)

Ms. Madhvi Diwan, Ld. ASG

Ms. Vibha Dutta Makhija, Sr. Adv.

Ms. Vimla Sinha, Adv.

Mr. Bharat Singh, Adv.

Mr. R.K. Verma, Adv.

Mr. Akshay Amritanshu, Adv.

Mr. Seema Bengani, Adv.

Mr. Anas Zaidi, Adv.

Mr. V. Balaji, Adv.

Mr. T.A. Khan, Adv.

Mr. Nachiketa Joshi, Adv.

Mr. P.V. Yogeshwaran, Adv.

Mr. B. V. Balaram Das, AOR

For Respondent(s)

Mr. R.K. Gupta, Adv.
Mr. R.D. Manna, Adv.
Mr. A.K. Singh, Adv.
Mr. Sabyasachi Mondal, Adv.
Ms. Monika Sinha, Adv.
Mr. Rajesh Sen, Adv.
Mr. Shekhar Kumar, AOR

Mr. Suhaan Mukerji, Adv.
Ms. Astha Sharma, Adv.
Mr. Abhishek Manchanda, Adv.
Ms. Kajal Dalal, Adv.
Mr. Naveen Kumar, Adv.
M/S. Plr Chambers And Co., AOR

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

SLP(C) D. No. 15039/2019, SLP(C) No. 25860/2017, SLP(C) No. 14459/2019 and SLP(C) No. 15304-15305/2019

Heard learned counsel for the parties for a while.

In light of the submissions advanced, we deem it appropriate to direct the Union of India as well as State of West Bengal to file the affidavit of Secretary of the concerned department(s), to furnish better information which must include the following facts:-

1. Total number of applications received from the State of West Bengal to claim benefit under Swatantrata Sainik Samman Pension Scheme (SSS Pension Scheme), 1980.
2. Total number of applications from West Bengal finally accepted.
3. Number of claims received under category under-ground sufferers/absconson, from State of West Bengal.
4. Number of claims made in the category of under-ground

sufferers/absconsion from Midnapore District alone; and number of such claims accepted under that category from the said District.

5. Number of entities/individuals authorized in the State of West Bengal to issue Personal Knowledge Certificate (PKC).
6. Number of certificates issued by Mr. R.N. Giri during the relevant period to candidates claiming to be under-ground sufferers/absconsion.
7. Number of claims accepted by the Department pertaining to District Midnapore (area-wise) and category wise.
8. Whether document appended to SLP (C) D. No. 15039 of 2019 in Union of India & Ors. Vs. Rampada Panja & Ors. at page 158-Annexure R-I, regarding general certification of non-availability of records of the concerned Police Station relating to issue of warrants, proclamation and prosecution, is a genuine document. For, it does not bear any reference number, outward number or date nor the name of the signatory.
9. In how many claims concerning category under-ground sufferers/absconsion, stated document in para eight above has been urged/relied upon.

We make it clear that it will be open to the authority to furnish such further information/data which may be relevant for considering the matters in issue.

Affidavits by the concerned departments be filed within four weeks from today.

List these matters after four weeks.

SLP(C) No. 19602/2019

Delinked.

As prayed, four weeks' time is granted to file reply affidavit, and thereafter, two weeks' time to file rejoinder affidavit.

List this matter after six weeks.

(DEEPAK SINGH)
COURT MASTER (SH)

(VIDYA NEGI)
COURT MASTER (NSH)