

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

I.A. No. 3 IN CIVIL APPEAL NO(s). 25 OF 2008

U.O.I. & ORS.

Appellant (s)

VERSUS

DINESHAN K.K.

Respondent(s)/
Applicant

(For directions and office report)

Date: 30/11/2010 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE D.K. JAIN
HON'BLE MR. JUSTICE H.L. DATTU

For Appellant(s) Mr. Mohan Parasaran, ASG
Mr. S Wasim A Qadri, Adv.
Mr. R Balasubramanian, Adv.
Ms. Saima Bakshi, Adv.
Mr. Shreekant N. Terdal, Adv.

For Respondent(s)/ Applicant(s) Mr. Rajeev Dutta, Sr. Adv.
Mr. Hiren Dasan, Adv.
Mr. Dhirendra Kr. Mishra, Adv.
Ms. Shanta Pandey, Adv.
Mrs Sarla Chandra, Adv.

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

By this application a direction is sought to the respondents, particularly, to Director General, Assam Rifles, to implement the final judgment and order delivered by this Court on 4th January, 2008. A further direction is sought to the said respondent to implement order dated 10th February, 2005, passed by the High Court in Writ Petition No. 497 of 2001, which in appeal, was upheld by this Court vide judgment dated 4th January, 2008.

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On behalf of the said respondent, an affidavit has been filed by Record Officer (Director General, Assam Rifles), Ministry of Home Affairs, wherein it is stated that the directions contained in the afore-mentioned judgment have been duly implemented. A report in the tabulated form has also been annexed with the affidavit in support of the stand that all the actions in terms of the said judgment/order have been taken.

Mr. Dutta, learned senior counsel appearing on behalf of the applicant submits that the directions contained in the said judgment have been partially complied with and some further actions, which have been duly enumerated in the rejoinder affidavit, are required to be taken by the said respondent.

Having regard to the nature of the controversy at hand, prima facie, we are of the view that in light of the affidavit filed by a Senior Officer, there is no reason why the stand of the respondents should not be believed and accepted. Nevertheless, we feel that in the interest of justice, it would be proper and expedient to direct the parties/their representatives to sit down together, discuss the points at issue and try to iron out the differences, if any, in their respective stands.

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Let this exercise be carried out within eight weeks.

A convenient date of meeting shall be communicated by the officer concerned to the applicant as well as to the advocate-on-record. We are confident that the discussions would be held in congenial atmosphere to understand and appreciate each other's view point and a sincere effort shall be made to resolve the disputes to the satisfaction of all concerned.

List for directions in the month of February, 2011.

[Charanjeet Kaur]
Court Master

[Kusum Gulati]
Court Master