

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

CIVIL AP P E A L NO(s). 62 2 8 - 62 2 9 OF 20 0 2

NATIO N A L TH E R M A L P O W E R C O R P N . L T D .

Appellant (s)

VER SUS

MAH E S H D U T T A AND ORS.

Respondent(s)

(With appln(s) for exemption from filing O.T.,placing additional documents and office report)

W I T H

Civil Appeal NO. 63 0 0 of 2 0 0 2 (with office report)

Civil Appeal NO. 63 0 1 - 63 2 1 of 2 0 0 2 (with appln. for substitution)

Civil Appeal NO. 62 3 0 - 62 5 1 of 2 0 0 2

Civil Appeal NO. 62 5 3 - 62 9 9 of 2 0 0 2

(With office report)

Date: 04 / 1 1 / 2 0 0 8 These Appeals were called on for hearing today.

CORAM :

HON' B L E MR. JUS T I C E S.B. SINH A

HON' B L E MR. JUS T I C E CYR I A C JOS E P H

For Appellant(s) Mr. Raju Ra m ach a ndr a n, Sr. Adv.

in CA 62 2 8 - 62 2 9 / 2 0 0 2 Ms. Geetanjali Mohan,Adv.

For Appellant(s) Mr. Ja m s hed Bey, Adv.

in CA 63 0 0 / 2 0 0 2

Mr. P a r m a n a n d Gaur, Adv.

and for respondent(s)

in CA 62 2 8 - 62 2 9 / 2 0 0 2

and 62 5 3 - 62 9 9 / 2 0 0 2

For Appellant(s) Mr. Kail a s h

Vasudev, Sr. Adv.

in CA 63 0 1 - 63 2 1 / 2 0 0 2 Mr.

Ankur Saigal, Adv.

and for respondent(s)

Ms. Bina Gupta, Adv.

in CA 62 5 3 - 62 9 9 / 2 0 0 2 Mr.

Gaurav Singh, Adv.

For Appellant(s) Mr. Ranjit Ku m a r , Sr. Adv.

in CA 62 3 0 - 62 5 1 / 2 0 0 2 Ms. Binu Ta m ta, Adv.

and for respondent(s)

in CA 62 2 8 - 62 2 9 / 2 0 0 2

and 62 5 3 - 62 9 9 / 2 0 0 2

For Appellant(s) Mr. Rakesh Dwivedi, Sr.Adv.

in CA 62 5 3 - 62 9 9 / 2 0 0 2 Ms. Geetanjali Mohan, Adv.

Ms. Mukti Chowdhary, Adv.

Mr. Shantanu Krishn a n, Adv.

For Respondent(s) Mr. R. K.G upta, Adv.

(State of U.P.) Mr. Manoj Kr. Dwivedi, Adv.for

Mr. Gunna m Venk ateswa r a Rao, Adv.

Ms. Geetanjali Mohan, Adv.

Mr. Naresh K. Shar m a , Adv.

Mr.K a m l endr a Mishra, Adv.(Not present)

Mr. Ashok K.S riva stava, Adv.(Not present)

UPON hearing counsel the Court made the following

OR D E R

Civil Appeal No.6 2 2 8 - 6 2 2 9 / 2 0 0 2

Resuming his arguments at 10.30 A.M., Mr. Raju Ramachandra, learned senior counsel appearing for the appellant concluded at 10.55 a.m. whereafter Mr. Ranjit Kumar, learned senior counsel appearing for some of the respondents made his submissions till 11.30 a.m. Then, Mr. R. K. Gupta, learned counsel appearing for State of U.P. addressed the court for a while.

Hearing concluded.

Judgment reserved.

Civil Appeal Nos.6 2 3 0 - 6 2 5 1 / 2 0 0 2 , 6 3 0 0 / 2 0 0 2 , 6 3 0 1 - 6 3 2 1 / 2 0 0 2
and Civil Appeal Nos.6 2 5 3 - 6 2 9 9 / 2 0 0 2

Delay, if any, in filing the application for substitution is condoned and the applications for substitution in Civil Appeal Nos.6 3 0 1 - 6 3 2 1 of 2 0 0 2 are allowed.

Mr. Ranjit Kumar, learned senior counsel appearing for the appellants in Civil Appeal Nos.6 2 3 0 - 6 2 5 1 / 2 0 0 2 started his arguments at 11.35 a.m. and concluded at 12.30 p.m. Mr. Kailash Vasudev, learned senior counsel appearing for the appellants in CA Nos.6 3 0 1 - 6 3 2 1 / 2 0 0 2 and Mr. Jameshed Bey, Adv. appearing for the appellants in Civil Appeal No.6 3 0 0 / 2 0 0 2 adopted the arguments of Mr. Ranjit Kumar. Then, Mr. Rakesh Dwivedi, learned senior counsel made his submissions till 2.15 p.m. Mr. Ranjit Kumar, learned senior counsel in rejoinder addressed the Court for about ten minutes.

Hearing concluded.

Judgment reserved.

Written Submissions, if any, be filed by tomorrow.

(Meenu Sethi) (Parveen Kr. Chawla)
AR- cum- P S Court Master

(Pushap Lata Bhardwah)
Court Master

List of Books cited :

By Mr. Raju Ramachandra, Sr. Adv.

1. Land Acquisition Act, 1894 .
2. (2007) 5 SCC 231
3. (2003) 1 SCC 335

By Mr. Ranjit Kumar, Sr. Adv.

1. (1970) 2 SCC 149
2. (1993) 4 SCC 369
3. (1996) 3 SCC 1 & 600
4. (1996) 4 SCC 212
5. (1996) 8 SCC 259
6. (2005) 12 SCC 489 & 508
7. (2005) 11 SCC 493
8. (1969) 3 SCC 769
9. (1974) 2 SCC 706
10. (1990) 1 SCC 59

By Mr. Kailash Vasudev, Sr. Adv.

1. Indian Evidence Act, 1872
2. (1997) 10 SCC 128
3. (2004) 8 SCC 270
4. (2001) 3 SCC 530

By Mr. Rakesh Dwivedi, Sr. Adv.

1. (1993) 3 SCC 60

2. (20 0 5) 4 SCC 78 9