

ITEM NO.4

COURT NO.11

SECTION PIL

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(s). 211 OF 2010

JASWANT & ORS.

Petitioner(s)

VERSUS

STATE OF HARYANA & ORS.

Respondent(s)

(With appln(s) for exemption from filing
O.T., directions, intervention and impleadment as petitioner and
placing addl. documents on record)

Date: 28/03/2011 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI
HON'BLE MR. JUSTICE ASOK KUMAR GANGULY

For Petitioner(s) Mr. Colin Gonsalves, Sr. Adv.
Ms. Ritu Kumar, Adv.
Ms. Jyoti Mendiratta, Adv.

For Respondent(s) Mr. Harin P. Raval, A.S.G.
Mr. S. Wasim A. Qadri, Adv.
Ms. Padmalakshi Nigam, Adv.
Ms. Saima Bakshi, Adv.
Mr. Arvind Kumar Sharma, Adv

Mr. H.S. Hooda, A.G. Haryana
Mr. Manjit Singh, A.A.G.

For Intervenor(s) Mr. J.L. Gupta, Sr. Adv.
Mr. D.P. Singh, Adv.
Mr. Sanjay Jain, Adv.

UPON hearing counsel the Court made the following

O R D E R

We have perused the affidavit of Shri Deo Mani, Deputy Chief Commercial Manager/Coordination, Northern Railway, Headquarters Office as also the affidavit of Shri Samir Mathur, Financial Commissioner and Principal Secretary to Government, Home Department,

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Haryana.

Learned counsel for the parties should come prepared to address the Court on the following issues:

- 1) Whether in the name of peaceful agitation by a political outfit or a group of persons, the State administration can allow (directly or indirectly) disruption of rail and road traffic?
- 2) In the event of disruption of rail and road traffic, what is the responsibility of the State to bring before law the persons responsible for such disruption?
- 3) In the event loss is suffered by the railways (direct or indirect) on account of disruption of movement of trains (passenger as well as goods),

whether the State should be asked to reimburse the railways.

- 4) What guidelines, if any, should be laid down by the Court for ensuring that the incidents, like the one of which cognizance was taken in this petition, do not recur and the public property is not damaged by the group of people who indulge in illegal disruption of rail and road traffic.

List after three weeks.

I.A. No. ____ of 2011:

This is an application by Dharambir and 97 others for being allowed to intervene in the proceedings of the writ petition.

We have heard Mr. Jawahar Lal Gupta, learned senior counsel appearing for the applicants and Shri Colin Gonsalves, learned senior counsel appearing for the petitioners and are satisfied that the prayer made by the applicants for being allowed to intervene in the proceedings of the writ petition deserves to be

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accepted. Ordered accordingly.

(A.D. Sharma)
Court Master

(Phoolan Wati Arora)
Court Master