

ITEM NO.101 (PH)

COURT NO.11

SECTION IVA

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

CIVIL APPEAL NO(s). 7425-7426 OF 2002

BANGALORE CITY COOP HSG.SOCY.LTD.

Appellant (s)

VERSUS

STATE OF KARNATAKA AND ORS.

Respondent(s)

(With office report)

WITH
Civil Appeal NO. 774-778 of 2005
(With appln.(s) for revocation and with office report)

Date: 27/04/2010 These Appeals were called on for hearing today.

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

For Appellant(s) Mr. Dushyant Dave, Sr.Adv.
Mr. P. Vishwanatha Shetty, Sr. Adv.
Mr. Shashi Kiran Shetty, Adv.
Mr. M. Sreenivasa, Adv.
Mr. Bramjeet Mishra, Adv.
Mr. Yatish Mohan, Adv.
Ms. Haripriya Padmanabhan, Adv.
Mr. E.C. Vidya Sagar,A.O.R.
[In C.A. Nos.7425-7426/2002]
Mrs. V. Mohana, A.O.R.
[In C.A. Nos.774-778/2005]

For Respondent(s) Mr. P.P. Rao, Sr.Adv.
Mr. R.S. Hegde, Adv.
Mr. Chandra Prakash, Adv.
Mr. Amit Wadhwa, Adv.
Mr. A.S. Bhasme, A.O.R.
[In C.A. Nos.7425-7426/2002]
Mr. P.P. Singh, A.O.R.
[In C.A. Nos.774-778/2005]

Mr. Sanjay R. Hegde ,Adv
Mr. A. Rohen Singh, Adv.
Mr. Ramesh K. Mishra, Adv.
Mr. Ramesh S. Jadhav, Adv.

2

Mr. Vikrant Yadav, Adv.
[For State of Karnataka]

Contd...2/-

3

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

In compliance of order dated 21.4.2010, Shri

V. Umesh, who is holding charge of post of Principal Secretary to Government, Department of Cooperation and Shri K.S. Prabhakara, Revenue Secretary-II, Government of Karnataka appeared in person and explained their position. Both Shri V. Umesh and Shri Prabhakara assured the Court that they will personally look into the records and submit their notes to this Court through Shri S.R. Hegde, learned counsel representing the State of Karnataka.

Shri Hegde also filed a compilation with the title "Additional information relating to Karnataka State Judicial Employees House Building Cooperative Society Ltd., Bangalore". This Shri Hegde did in response to the queries made by the Court in the context of the judgment of the Division Bench of Karnataka High Court in Writ Petition No.35837 of 1994 and connected matters.

Shri E.C. Vidya Sagar, counsel assisting Shri Dushyant Dave, learned senior counsel appearing for the appellant in C.A. Nos.7425-7426 of 2002, also filed an additional affidavit along with the compilation of papers. According to Shri Dave, these documents were made available by the Society to the Assistant Registrar of Cooperative Societies in response to the queries made by him.

The documents filed by Shri Hegde and the counsel assisting Shri Dave are taken on record.

4

Further arguments of Shri Dushyant Dave and Mr. P.V. Shetty, learned senior counsel appearing for the appellants heard. Likewise arguments of Shri P.P. Rao also heard.

Judgment reserved.

Shri S.R. Hegde, representing the State of Karnataka says that he will make an endeavour to file typed copies of the relevant notings by Friday morning. Learned counsel for the parties may file their written notes by Monday i.e. 3.5.2010.

(A.D. Sharma)
Court Master

(Charanjeet Kaur)
Court Master

(Phoolan Wati Arora)
Court Master