

ITEM NO.101[P.H.]

COURT NO.12

SECTION IVA

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 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: 21/04/2010 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. M. Sreenivasa, Adv.
Mr. Shashi Kiran Shetty, Adv.
Mr. Vijay, Adv.
Mr. Yatish Mohan, Adv.
Mr. Bramjeet Mishra, Adv.
Mr. Yashvar Dhar, Adv.
Mr. E.C. Vidya Sagar, A.O.R.

For Respondent(s)

Mr. R.S. Hegde, Adv.
Mr. Chandra Prakash, Adv.
Mr. Amit Wadhwa, Adv.
Mr. P.P. Singh, A.O.R.
Mr. A.S. Bhasme, Adv.

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

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Mr. Vikrant Yadav, Adv.

UPON hearing counsel the Court made the following

O R D E R

At the commencement of further hearing, Shri Sanjay R. Hegde, learned counsel for the State of Karnataka, placed before the Court a compilation containing list of dates and documents marked A1 to A9 (pages 1 to 73).

After going through the papers produced by Shri Hegde, we requested him to show the report submitted by Joint Registrar, Co-operative Societies except the one dated 9.10.1987. Shri Hegde expressed his inability to produce that report and stated that as

per the record, no further report is available with him.

Shri Hegde made further submissions. At the end of his submissions, Shri Hegde placed before the Court a typed copy of the note recorded by the then Minister for release of land of respondent Smt. Gita Devi Shah comprised in survey No. 49.

Shri Dushyant Dave, learned senior counsel appearing for some of the appellants, made his submissions in rejoinder, which remained inconclusive.

As requested by Shri Dave, further hearing is adjourned to 27th April, 2010.

From the proceedings of this case, we find that for the last almost ten years, this Court has been making serious endeavour to ensure that the records which have direct bearing on the issues raised by the parties are made available to the Court so as to facilitate correct disposal of the questions raised in the appeals.

Since the officers concerned have adopted an

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attitude of non-cooperation, we are prima facie inclined to think that they are obstructing the course of justice. Let Secretaries to the Government of Karnataka, Departments of Revenue and Co-operation appear before the Court on 27th of this month along with the remaining records.

Shri Hegde says that he would inform the concerned officers about today's order.

(A.D. Sharma)
Court Master

(Neetu Khajuria)

Sr. P.A.

(Phoolan Wati Arora)
Court Master