

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

RECORD OF PROCEEDINGS

TRANSFER PETITION (CIVIL.) NO(s). 421 OF 2006

M/S BALRAMPUR CHINI MILLS LTD.

Petitioner(s)

VERSUS

M/S OJAS INDUSTRIES PVT. LTD.& ORS

Respondent(s)

(With appln. for ex-parte stay and exem. from filing O.T. and office report)

WITH T.P.(C) NO. 623 of 2006

(With appln(s) for ex-Parte stay and office report)

With SLP(C) No.7690

(With appln. for stay and permission to place addl. Documents on record
and with prayer for interim relief, impleadment, appln. for taking on
record reply affidavit and office report)

With SLP(C) No. 7990/06

With SLP(C) No.7991/06

(with prayer for interim relief and office report)

With SLP(C) No. 8770/06

With SLP(C) No. 8772/06

With SLP(C) No. 8774/06

(With appln. for C/delay in filing SLP and with prayer for interim relief
and office report)

With C.A. No. 5856/2005 (With appln. for impleadment/directions and intervention and exem. f
rom

filing O.T. and permission to file rejoinder affidavit and volume and permission to file addl.
documents

and with prayer for interim relief)

With C.A. No. 5857/2005 (with appln. for permission to file rejoinder affidavit and with pray
er for

interim relief)

With C.A. No. 5858/2005 (With appln. for permission to file addl. documents and c/delay in filing addl.

affidavit and with prayer for interim relief)

With SLP(C) No. 1398/2006

Date: 05/09/2006 This Petition was called on for hearing today.

- 2 -

CORAM :

HON'BLE MR. JUSTICE ARIJIT PASAYAT

HON'BLE MR. JUSTICE S.H. KAPADIA

For Petitioner(s) Mr. Shanti Bhushan, Sr. Adv.

Mr. T.R. Andhiyarujina, Sr. Adv.

Mr. Jayant Bhushan, Sr. Adv.

Mr. Sanjeev Kumar, Adv.

Mr. Vikram Bajaj, Adv.

Mr. Akhilesh Kalra, Adv.

For M/S. Khaitan & Co. Adv.

Mr. Ashok H. Desai, Sr. Adv.

Mr. T.R. Andhiyarujina, Sr. Adv.

Mr. Ankur Chawla, Adv.

Ms. Meenakshi, Adv.

Mr. Mahesh Agarwal, Adv.

Mr. Akhilesh Kalra, Adv.

Mr. E.C. Agarwal, Adv.

In SLP(C) No. Mr. H.N. Salve, Sr. Adv.

7690/06 & other Dr. A.M. Singhvi, Sr. Adv.

SLPs Mr. Mukul Rohtagi, Sr. Adv.

Mr. Gaurab Banerjee, Sr. Adv.

Mr. V.A. Mohta, Sr. Adv.

Mr. Shahid H. Rizvi, Adv.

Mr. Akhil Sibal, Adv.
Mr. Amit Sibal, Adv.
Ms. Ruby Ahuja, Adv.
Mr. P.K. Mittal, Adv.
Mr. Uday Kumar, Adv.
Mr. Sanjeev Kr. Singh, Adv.
Mr. Nilakanta Nayak, Adv.
Ms. Meenakshi Sakhardande, Adv.
Mr. Alok Agarwal, Adv.

For Respondent(s) Mr. Shanti Bhushan, Sr. Adv.

Mr. Jayant Bhushan, Sr. Adv.
Mr. Praveen Kumar, Adv.

in TP(C) 421/06 Mr. Harish N. Salve, Sr. Adv.

Dr. A.M. Singhvi, Sr. Adv.
Mr. V.A. Mohta, Sr. Adv.
Mr. S.C. Mishra, Sr. Adv.
Mr. Mukul Rohtagi, Sr. Adv.
Mr. Uday Kumar, Adv.
Mr. Akhil Sibal, Adv.
Mr. Amit Sibal, Adv.
Mr. Sanjeev K. Singh, Adv.
Mr. P.K. Mittal, Adv.
Mr. Syed Shahid Rizvi, Adv.

- 3 -

For UOI

Mr. B. Dutta, ASG,
Mr. Krishna Mahajan, Adv.
Mr. Gaurav Agrawal, Adv.
Mr. V.K. Verma, Adv.
Mr. S. Wasim A. Qadri, Adv.
Mr. R.K. Dubey, Adv.
Mr. Kamalendra Mishra, Adv.

For Intervenor:

Mr. Soli J. Sorabjee, Sr. Adv.

Mr. Mahesh Agarwal, Adv.

Mr. Ankur Chawla, Adv.

Ms. Meenakshi, Adv.

Mr. Gaurav Goel, Adv.

Mr. E.C. Agarwala, Adv.

Mr. Ashok H. Desai, Sr. Adv.

Mr. Ankur Chawla, Adv.

Ms. Meenakshi, Adv.

Mr. Akhilesh Kalra, Adv.

UPON hearing counsel the Court made the following

O R D E R

Mr. B. Dutta, learned Addl. Solicitor General prays for eight weeks' ti

me

as he states that a fresh look is being taken of the controversial issues and an ef

fort

is being made to iron out some of the difficulties highlighted by the parties in th

ese

cases. List these matters on 14.11.2006. On that date, if necessary, a firm da

te of

hearing of these matters shall be fixed.

In the meantime, no IEMs shall be acknowledged. So far as the

existing

IEMs are concerned, if they propose to make any construction, that shall be at thei

r

own risk and no equity shall be claimed. It is made clear that no milling activit

ies

shall be undertaken without permission of

this Court. This order shall operate in respect of Balrampur Ru
drapur-Guleria,

Kumbi, Nihalpur and in respect of Ojas- Bijuwa, Piparia Kaptan, Bhagotipur,

Baisgapur and in respect of Oudh Sugar Mills -Saidapur Khurd. It is made clear

that cases where construction have not commenced, no construction shall be

permitted without leave of this Court. The earlier order permitting the High Court to continue hearing but not to pass any final order shall be operative until further orders.

(Shashi Sareen)

Court Master

(Vijay Aggarwal)

Court Master