

SUPREME COURT OF INDIA  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).17084/2005

(From the judgement and order dated 27/07/2005 in WP No. 12001/2002 of  
The HIGH COURT OF MADRAS)

GENERAL MANAGER (P&amp;A), O.N.G.C.LTD.

Petitioner(s)

VERSUS

B. KIRUPANJALI

Respondent(s)

(With appln(s) for permission to submit additional document(s) and prayer for  
interim relief and office report ) )WITH SLP(C) NO. 1388-1389 of 2006  
(With office report)SLP(C) NO. 17104 of 2005  
(With appln. for exem. from filing c/c of the impugned judgment and exem. from  
filing O.T. and with prayer for interim relief and office report)SLP(C) NO. 17862 of 2005  
(With prayer for interim relief and office report)SLP(C) NO. 18085 of 2005  
(With prayer for interim relief and office report)SLP(C) NO. 18088 of 2005  
(With prayer for interim relief and office report)SLP(C) NO. 18334-18335 of 2005  
(With prayer for interim relief and office report)SLP(C) NO. 18340-18341 of 2005  
(With prayer for interim relief and office report)SLP(C) NO. 19389 of 2005  
(With prayer for interim relief)SLP(C) NO. 19505-19506 of 2005  
(With prayer for interim relief and office report)SLP(C) NO. 20244 of 2005  
(With prayer for interim relief and office report)SLP(C) NO. 3321 of 2006  
(With office report)SLP(C) NO. 4474 of 2006  
(With office report)  
(For final disposal)

Date: 14/07/2008 This Petition was called on for hearing today.

CORAM :

HON'BLE Dr. JUSTICE ARIJIT PASAYAT  
HON'BLE DR. JUSTICE MUKUNDAKAM SHARMAFor Petitioner(s) Mr. G.E.Vahanvati, SG,  
Mr. Gopal Subramanian, ASG,  
Mr. R.Chandrachud, Adv.  
Mr. K.R. Sasiprabhu, Adv.

Mr. Sunil Kumar Jain, Aadv.

Mr. Vivek Kishore, Adv.

Ms. Ruchi Gaur Narula, Adv.

Mr. Anurag Dubey, Adv.

Mr. Meenesh Dubey, Adv.

Mr. R.BHasker, Adv.

Ms. Sangeeta Bharti, Adv.

Mr. S.R. Setia, Adv.

For Respondent(s) Mr. R. Nedumaran, Adv.

Mr. T.Raja, adv.

Mr. C.Jayaraj, Adv.

Ms. Malini Poduval, Adv.

Mr. Senthil Jagadeesan, Adv.

Mr. V.G.Pragam, adv.

Mr. M.A.Krishna Moorthy, Adv.

Mr. K.V.Bharathi Upadhyay, adv.

-3-

UPON hearing counsel the Court made the following  
ORDER

Heard.

During the hearing of these petitions, the judgment by a Division Bench in G.M., Indian Bank Vs. R.Rani & Anr. decided on 06.12.2007 was relied upon by the respondents. In our considered view in the said judgment the ratio of the decision in Director of Tribal Welfare, Government of A.P. Vs. Laveti Giri and Anr. 1995 (4) SCC 32 has not been properly appreciated. The decision in Kumari Madhuri Patil & Ors. Vs. Addl. Commr. Tribal Development, Thane and Ors. 1997 (5) SCC 437 has no application on the facts of the present case. It may also be noted that somehow different view has taken in Sudhakar Vithal Kumbhare Vs. State of Maharashtra and Ors. 2004 (9) SCC 481. Considering the importance of the subject, even otherwise, we feel that the decision in G.M. Indian Bank case supra needs a fresh consideration. Accordingly we refer the matter to a larger Bench. The records may be placed before Hon'ble the CJI for necessary orders .

(Shashi Sareen)  
Court Master

(Sneh Bala Mehra)  
Court Master