

ITEM NO.51

COURT NO.7

SECTION XVI

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). 3956 OF 2001

MADANBI

Appellant (s)

VERSUS

DIRECTOR OF HORTICULTURE & ORS.

Respondent(s)

WITH

SLP(C) NO. 2029-2047 of 2002

SLP(C) NO. 8436 of 2002

(With appln.(s) for c/delay in filing SLP and c/delay in refiling SLP and office report)

SLP(C) NO. 12913-12916 of 2002

(With appln.(s) for c/delay in filing SLP and office report)

Civil Appeal NO. 3914-3922 of 2003

SLP(C) NO. 20990-20996 of 2003

(With prayer for interim relief)

SLP(C) NO. 10699-10735 of 2003

(With prayer for interim relief)

SLP(C) NO. 10589-10637 of 2003

(With prayer for interim relief and office report)

Civil Appeal NO. 9285-9297 of 2003

(With office report)

Civil Appeal NO. 6323 of 2002

Civil Appeal NO. 6333 of 2002

(With office report)

SLP(C) NO. 1752-1763 of 2004

(With prayer for interim relief and office report)

SLP(C) NO. 4203 of 2004

(With office report)

SLP(C) NO. 4130 of 2004

(With prayer for interim relief and office report)

SLP(C) NO. 4833-4851 of 2004

(With prayer for interim relief)

SLP(C) NO. 4898-4900 of 2004

(With prayer for interim relief)

SLP(C) NO. 4128 of 2004

(With prayer for interim relief and office report)

SLP(C) NO. 7667-7668 of 2004

(With prayer for interim relief and office report)

SLP(C) NO. 8834-8850 of 2004

SLP(C) NO. 8068-8077 of 2004

(With prayer for interim relief)

Civil Appeal NO. 186 of 2004

(With appln.(s) for stay)

SLP(C) NO. 18932-18946 of 2004

(With prayer for interim relief and office report)

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Date: 17/11/2006 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE H.K. SEMA

HON'BLE MR. JUSTICE P.K. BALASUBRAMANYAN

For Appellant(s)

Mr. S.N. Bhat, Adv.

Mr. D.P. Chaturvedi, Adv.

Mr. N.P.S. Pawar, Adv.

Mr. Sanjay R. Hegde, Adv.

Mr. Anil K. Mishra, Adv.

Mr. Vikrant Yadav, Adv.

Mr. Sashidhar, Adv.

Mr. Ashok Kumar Sharma, Adv.

Ms. Mohan V. Katarki, Adv.

Mr. Sanjay Misra, Adv.

Mr Pavan Kumar, Adv.

Mr. Sumit Kr. Thakur, Adv.

Mr. V.N. Raghupathy, Adv.

Mr. Rudreshwar Singh, Adv.

Mr. Kaushik Poddar, Adv.

Mr. Kumar Ranjan, Adv.

Mr. Sanjay Jain, Adv.

For Respondent(s)

Mr. Sanjay R. Hegde, Adv.

Mr. Rajesh Mahale, Adv.

Mr. Prashant Kumar, Adv.

Mr. P.P. Singh, Adv.

Mr. Shankar Divate, Adv.

Mr. Gopal Singh, Adv.

Mr. Nishakant Pandey, Adv.

Ms. Vimla Sinha, Adv.

Mr. K.C. Sudarshan, Adv.

Mr. G. Ramakrishna Prasad, Adv.

Dr. K.P. Kyalasanatha, Adv.

Mr. Mohd. Wasay Khan, Adv.

Mr. Suyodhan Byrapaneni, Adv.

Mr. Venkat Subramaniam T.R., Adv.

Mrs.K. Sarada Devi, Adv.

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Mrs.Revathy Raghavan, Adv.

Mr. R.D. Upadhyay, Adv.

Ms. Kiran Suri, Adv.

UPON hearing counsel the Court made the following

O R D E R

Delay condoned.

Heard the parties.

Leave granted.

Appeals admitted.

These matters are squarely covered by the decision of th

e

Constitution Bench rendered in Secretary, State of Karnataka &

Ors. Vs. Umadevi (3) & Ors., (2006) 4 SCC 1.

In view thereof, C.A. No.3956/2001; C.A. No.5038/2006 [@ SLP(C) NO. 12913-12916/2002]; C.A. No. 6323 of 2002 and C.A. No. 6333 of 2002 are dismissed. And in rest of the appeals, the impugned

order is set aside and the appeals are allowed.

(Ravi P. Verma)

Court Master

(Anand Singh)

Court Master

[Signed order is placed on the file]

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IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 3956 OF 2001

MADANBI

APPELLANT(S)

Versus

DIRECTOR OF HORTICULTURE &

RESPONDENT

ORS.

(S)

WITH

C.A.No. 5045/2006 [@ SLP(C) NO. 2029-2047/2002]

C.A.No. 5039/2006 [@ SLP(C) NO. 8436/2002]

C.A.No. 5038/2006 [@ SLP(C) NO. 12913-12916/2002]

Civil Appeal NO. 3914-3922 of 2003

C.A.No. 5043/2006 [@ SLP(C) NO. 20990-20996/2003]

C.A.No. 5044/2006 [@ SLP(C) NO. 10699-10735/2003]

C.A.No. 5051/2006 [@ SLP(C) NO. 10589-10637/2003]

Civil Appeal NO. 9285-9297 of 2003

Civil Appeal NO. 6323 of 2002

Civil Appeal NO. 6333 of 2002

C.A.No. 5040/2006 [@ SLP(C) NO. 1752-1763/2004]

C.A.No. 5049/2006 [@ SLP(C) NO. 4203/2004]

C.A.No. 5048/2006 [@ SLP(C) NO. 4130/2004]

C.A.No. 5042/2006 [@ SLP(C) NO. 4833-4851/2004]

C.A.No. 5036/2006 [@ SLP(C) NO. 4898-4900/2004]

C.A.No. 5041/2006 [@ SLP(C) NO. 4128/2004]

C.A.No. 5047/2006 [@ SLP(C) NO. 7667-7668/2004]

C.A.No. 5050/2006 [@ SLP(C) NO. 8834-8850/2004]

C.A.No. 5037/2006 [@ SLP(C) NO. 8068-8077/2004]

Civil Appeal NO. 186 of 2004

C.A.No. 5046/2006 [@ SLP(C) NO. 18932-18946/2004]

O R D E R

Delay condoned.

Heard the parties.

Leave granted.

Appeals admitted.

These matters are squarely covered by the decision of the

Constitution Bench rendered in Secretary, State of Karnataka & Ors.

Vs. Umadevi (3) & Ors., (2006) 4 SCC 1.

In view thereof, the orders impugned in

C.A. No. 5045/2006 [@ SLP(C) NO. 2029-2047/2002];

C.A. No. 5039/2006 [@ SLP(C) NO. 8436/2002];

C.A. No. 3914-3922 of 2003;

C.A. No. 5043/2006 [@ SLP(C) NO. 20990-20996/2003];

C.A. No. 5044/2006 [@ SLP(C) NO. 10699-10735/2003];

C.A. No. 5051/2006 [@ SLP(C) NO. 10589-10637/2003];

C.A. No. 9285-9297 of 2003;

C.A. No. 5040/2006 [@ SLP(C) NO. 1752-1763/2004];

C.A. No. 5049/2006 [@ SLP(C) NO. 4203/2004];

C.A. No. 5048/2006 [@ SLP(C) NO. 4130/2004];

C.A. No. 5042/2006 [@ SLP(C) NO. 4833-4851/2004];

C.A. No. 5036/2006 [@ SLP(C) NO. 4898-4900/2004];

C.A. No. 5041/2006 [@ SLP(C) NO. 4128/2004];

C.A. No. 5047/2006 [@ SLP(C) NO. 7667-7668/2004];

C.A. No. 5050/2006 [@ SLP(C) NO. 8834-8850/2004];

C.A. No. 5037/2006 [@ SLP(C) NO. 8068-8077/2004] ;

C.A. No. 186 of 2004 and

C.A. No. 5046/2006 [@ SLP(C) NO. 18932-18946/2004]

are set aside and the appeals are allowed.

C.A. No.3956/2001; C.A. No. 5038/2006 [@ SLP(C) NO. 12913-

12916/2002] ; C.A. No. 6323 of 2002 and C.A. No. 6333 of 2002 are

dismissed.

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.....J.

(H.K. SEMA)

New Delhi;

.....J.

November 17, 2006.

(P.K. BALASUBRAMANYAN)