

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

Civil Appeal Nos. 936-938 of 2001@@
CCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCC

Indicarb Limited Appellant (s)

VERSUS

State of Tamil Nadu & Ors. Respondent (s)

(With appln.(s) for impleading party and office report)

With Writ Petition (C) No. 409 of 1997

Civil Appeal No. 939 of 2001
(With appln.(s) for impleading party, prayer for interim relief and office report)

Civil Appeal Nos.940-941 of 2001
(With prayer for interim relief and office report)

Civil Appeal No. 942 of 2001

Writ Petition (C) No. 675 of 1997

Civil Appeal No. 943 of 2001
(With appln.(s) for impleading party, prayer for interim relief and office report)

Writ Petition (C) No. 129 of 1998

Writ Petition (C) No. 150 of 1998

Writ Petition (C) No. 199 of 1998

Writ Petition (C) No. 155 of 1998

Writ Petition (C) No. 157 of 1998

Writ Petition (C) No. 167 of 1998
(With appln.(s) for stay)

Writ Petition (C) No. 180 of 1998

Writ Petition (C) Nos. 206-208 of 1998

Civil Appeal No. 944 of 2001
(With appln.(s) for impleading party, prayer for interim relief and office report)

Civil Appeal Nos. 945-950 of 2001
(With prayer for interim relief and office report)

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Writ Petition (C) No. 249 of 1998
Writ Petition (C) No. 268 of 1998
Writ Petition (C) Nos.273-275 of 1998
Writ Petition (C) No. 359 of 1998
Writ Petition (C) No. 223 of 1998
Writ Petition (C) No. 374 of 1998
Writ Petition (C) No. 472 of 1998
Writ Petition (C) Nos.503-505 of 1998
(With office report)
Writ Petition (C) Nos. 454-455 of 1998
(With office report)
Writ Petition (C) No. 242 of 1998
Writ Petition (C) No. 565 and 567 of 1998
(With office report)
Writ Petition (C) No. 602 of 1998
(With office report)
Writ Petition (C) Nos.607-611 of 1998
(With office report)
Writ Petition (C) No. 615 of 1998
(With office report)
Writ Petition (C) No. 654 of 1998
Civil Appeal No. 951-954 of 2001
(With prayer for interim relief and office report)
Writ Petition (C) No. 9 of 1999
Writ Petition (C) No. 30 of 1999
Writ Petition (C) No. 48 of 1999
Civil Appeal Nos. 955-956 of 2001
(With prayer for interim relief)
Writ Petition (C) No. 92 of 1999
Writ Petition (C) No. 96 of 1999
Writ Petition (C) No. 107 of 1999

...3/-

Writ Petition (C) Nos. 112-113 of 1999

Writ Petition (C) Nos.119-120 of 1999

Writ Petition (C) No. 136 of 1999

Writ Petition (C) No. 167 of 1999

Civil Appeal Nos. 957-964 of 2001
(With prayer for interim relief and office report)

Writ Petition (C) No. 80 of 1999
(With appln.(s) for stay)

Writ Petition (C) No. 217 of 1999

Writ Petition (C) No. 207 of 1999

Writ Petition (C) No. 219 of 1999

Writ Petition (C) No. 221 of 1999
(With appln.(s) for exemption from filing O.T.)

Writ Petition (C) No. 250 of 1999

Writ Petition (C) No. 252 of 1999

Writ Petition (C) No. 263 of 1999

Writ Petition (C) Nos. 267-268 of 1999

Civil Appeal No. 965 of 2001
(With appln.(s) for impleading party, prayer for interim relief
and office report)

Civil Appeal No. 966 of 2001
(With appln.(s) for addition/deletion of parties, prayer for
interim relief and office report)

Civil Appeal No. 967 of 2001
(With appln.(s) for impleading party, prayer for interim relief
and office report)

Writ Petition (C) No. 5 of 1998

Civil Appeal No. 968 of 2001

Civil Appeal Nos.969-970 of 2001
(With appln.(s) for impleading party, prayer for interim relief
and office report)

Civil Appeal No. 971 of 2001
(With appln.(s) for impleading party and prayer for interim relief)

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Civil Appeal Nos.972-973 of 2001

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

Writ Petition (C) No. 420 of 1999

Writ Petition (C) No. 423 of 1999

Writ Petition (C) No. 98 of 1999

Writ Petition (C) No. 125 of 1999

Writ Petition (C) No. 382 of 1999
(With office report)

Writ Petition (C) No. 392 of 1999
(With office report)

Civil Appeal No. 974 of 2001

Writ Petition (C) No. 510 of 1999

Writ Petition (C) No. 533 of 1999

Writ Petition (C) No. 543 of 1999

Civil appeal No. 975 of 2001
(With appln.(s) for impleading party, prayer for interim relief and office report)

Writ Petition (C) No. 14 of 2000

Writ Petition (C) No. 69 of 2000
(with appln.(s) for stay)

Writ Petition (C) No. 72 of 2000
(With appln.(s) for stay)

Civil Appeal Nos.976-979 of 2001
(With appln.(s) for taking additional document on record, intervention/impleadment, raising additional grounds and prayer for interim relief)

Writ Petition (C) No. 195 of 1999
(With appln.(s) for directions)

Civil Appeal No. 980 of 2001
(With appln.(s) for impleading party, prayer for interim relief and office report)

Civil Appeal Nos.981-982 of 2001
(With prayer for interim relief and office report)

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Writ Petition (C) No. 139 of 2000

Writ Petition (C) No.141 of 2000

Writ Petition (C) No.149 of 2000

Writ Petition (C) No.150 of 2000
Writ Petition (C) No.154 of 2000
Writ Petition (C) No.248 of 2000
Writ Petition (C) No. 253 of 2000
Writ Petition (C) Nos. 279-280 of 2000
Writ Petition (C) No.282 of 2000
Writ Petition (C) No.146 of 2000
Writ Petition (C) No.278 of 2000
(With office report)
Civil Appeal Nos. 983-997 of 2001
(With prayer for interim relief and office report)
Writ Petition (C) No. 327 of 2000
(With appln.(s) for stay)
Writ Petition (C) No. 145 of 2000
Writ Petition (C) Nos. 399-400 of 2000
Writ Petition (C) No. 418 of 2000
Civil Appeal Nos. 1649-1654 of 2001
(With appln.(s) for impleading, exemption from filing O.T., prayer
for interim relief and office report)
Writ Petition (C) No. 110 of 2000
(With appln.(s) for stay and office report)
Writ Petition (C) No. 615 of 2000
(With appln.(s) for stay)
Special Leave Petition (C) No. 5579 of 2001
(With prayer for interim relief)
Writ Petition (C) No. 187 of 2001
(With appln.(s) for stay)
Writ Petition (C) No. 268 of 2001
Special Leave Petition (C) No. 13109 of 2001
(With prayer for interim relief)

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Special Leave Petition (C) No. 13190 of 2001
(With prayer for interim relief)
Special Leave Petition (C) No. 16289 of 2001
(With prayer for interim relief)
Writ Petition (C) No. 178 of 2001

(With appln.(s) for stay and office report)

Special Leave Petition (C) No. 18556 of 2001
(With prayer for interim relief and office report)

Writ Petition (C) No. 506 of 2001
(With appln.(s) for stay)

Writ Petition (C) No. 516 of 2001
(With appln.(s) for stay)

Writ Petition (C) No. 547 of 2001
(With appln.(s) for stay and permission to file addl. documents
as compilation Vol.II)

Writ Petition (C) No. 540 of 2001
(With appln.(s) for ex-parte stay)

Writ Petition (C) No. 534 of 2001
(With appln.(s) for ex-parte stay)

Writ Petition (C) No. 570 of 2001
(With appln.(s) for stay)

Writ Petition (C) No. 3 of 2002

Writ Petition (C) No. 13 of 2002
(With appln.(s) for stay)

Writ Petition (C) No. 17 of 2002
(With appln.(s) for ex-parte stay)

Writ Petition (C) No. 44 of 2002
(With appln.(s) for ex-parte stay)

Writ Petition (C) No. 20 of 2002
(With appln.(s) for stay)

Writ Petition (C) No. 136 of 2002

Writ Petition (C) No. 137 of 2002
(With appln.(s) for ex-parte stay)

Writ Petition (C) No. 157 of 2002
(With appln.(s) for ex-parte stay)

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S.L.P. (C) No. 6110 of 2002
(With prayer for interim relief)

S.L.P. (C) No. 6189 of 2002
(With prayer for interim relief)

S.L.P. (C) No. 6251 of 2002
(With prayer for interim relief)

S.L.P. (C) No. 6281 of 2002
(With prayer for interim relief)

Writ Petition (C) No. 156 of 2002
(With appln.(s) for stay)

Writ Petition (C) No. 207 of 2002

Writ Petition (C) No. 329 of 2002
(With appln. for stay)

Special Leave Petition (C) No. 12076 of 2002
(With appln. for exem. from filing c/c of the impugned judgment
and prayer for interim relief)

Writ Petition (C) No. 282 of 2002
(With appln. for ex-parte stay)

Writ Petition (C) No. 303 of 2002
(With appln. for ex-parte stay)

Writ Petition (C) No. 407 of 2002
(With appln. for ex-parte stay)

Writ Petition (C) No. 304 of 2002
(With appln. for ex-parte stay)

Writ Petition (C) No. 415 of 2002
(With appln. for ex-parte stay)

Writ Petition (C) No. 426 of 2002
(With appln. for stay)

Writ Petition (C) No. 432 of 2002
(With appln. for stay)

Writ Petition (C) No. 458 of 2002

Writ Petition (C) No. 597 of 2002
(With appln. for stay and office report)

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Date : 28/01/2003 These matters were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE S.B. SINHA
HON'BLE DR. JUSTICE AR. LAKSHMANAN

For Petitioner(s)/

Appellants:

In C.A. Nos. Mr. K.Parasaran,Sr.Adv.
940-942/2001,946-51/ Mr. V. Balaji,Adv.
2001, WP 454-455/98, Mr. P.N. Ramalingam,Adv.

WP(C) 195/99, CA 965-
971/2001, 974-975/01,
980-992/01, 955/01,
996/01 & WP 221/99.

In CA 936-939/01, Mr. K. Parasaran, Sr. Adv.
945/01, 952-54/01, Mr. C. Natarajan, Adv.
956/01, 967/01 and Mr. V. Balaji, Adv.
976-79/01 & WP 409/97: Mr. A.T.M. Sampath, Adv.

In WP 675/97, Mr. R.L. Ramani, Adv.
CA 943/01, WP Mr. K.K. Mani, Adv.
129/98, 187/01, Ms. Manika Panday, Adv.
149-150/98, 155/98,
157/98, 167/98, 180/
98, 199/98, 249/98,
268/98, 274-75/98,
359/98, 223/98,
227/98, 472/98, 503/98
504-05/98, 242/98,
565/98, 602/98, 607/98,
654/98, 92/99, 96/99,
107/99, 112-113/99,
119-120/99, 136/99,
167/99, 217/99, 219/99,
250/99, 252/99, 263/99,
267-68/99, 5/98, 420/99,
423/99, 98/99, 125/99,
510/99, 533/99, 543/99,
14/2000, 139, 141, 149-150,
154, 248, 253, 279, 280,
282, 296, 145, 399, 400,
418/2000, SLP 16289/01,
18556/01, 5579/01, CA
993-995/01, WP 506/01,
516/01, 570/01, 3/02,
13/02, 136-137/02 &
157/02, 329/02, 407/02,
415/02, 426/02, 432/02,
458/02, 597/02 & SLP
12076/02:

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In WP 206-08/98, Mr. K.V. Viswanadhan, Adv.
CA 944/01, WP (C) Mr. R.D. Ganesan, Adv.
374/98, 615/98, 9/99, Ms. Gargi Khanna, Adv.
48/99, 207/99, 20/02, Mr. K.V. Vijaykumar, Adv.
268/01, 207/02, 282/02,
303/02 & 304/02:

In WP 567/98, Mr. Rakesh K. Sharma, Adv.
608-11/98 & 30/99:

In CA 957-964/2001: Mr. Dhruv Agarwal, Adv.
Mr. R.V. Prasad, Adv.
Mr. Praveen Kumar, Adv.

In WP 80/99, 69, 72, Mr. Joseph Vellapally, Sr. Adv.
146, 278/2000 & Mr. Praveen Kumar, Adv.

178/01: Mr. Nitin Bhardwaj, Adv.
In WP 382,392/99: Mr. V. Balachandran, Adv.
In WP 273/1998: Mr. Gopal Jain, Adv.
Ms. Nandini Gore, Adv.
for Ms. Manik Karanjawala, Adv.
In CA 972-973/2001: Mr. V. Krishnamurthy, Adv.
In CA 1649-54/01,
WP 110/2000 & 615/
2000: Mr. K.K. Venugopal, Sr. Adv.
Mr. P.H. Parekh, Adv.
Mr. Sameer Parekh, Adv.
Mr. Amit Dhingra, Adv.
In SLP 13109/01 &
13190/01: Ms. Rekha Palli, Adv.
In WP 547/01, 17/02
& 44/2002: Mr. Joseph Vellapally, Sr. Adv.
Mr. U.A. Rana, Adv.
Ms. Anuradha Priyadarshini, Adv.
for M/s. Gagrat & Co., Adv.
In WP 540/01, 534/
01, SLP 6281/02,
6189/02 & 6251/02. Mr. R.F. Nariman, Sr. Adv.
Mr. Ashok Kumar Gupta, Adv.
Mr. Farrukh Rashid, Adv.
Mr. Mukesh Kumar, Adv.
In SLP 6110, 6189,
6251, 6281/2002: Mr. Altaf Ahmad, ASG.
Mr. V.A. Mohta, Sr. Adv.
Mr. Ashok Kumar Gupta, Adv.
Mr. Farrukh Rashid, Adv.
Mr. Mukesh Kumar, Adv.
In WP 156/2002: Mr. M.N. Shroff, Adv.
Mr. Chirag M. Shroff, Adv.

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For Orissa: Mr. Janaranjan Das, Adv.
Mr. S. Mishra, Adv.
Mr. G. Biswat, Adv.
For Pondicherry: Mr. V.G. Pragasam, Adv.
For State of M.P.: Ms. Pragati Neekhara, Adv.
Mr. B.S. Banthia, Adv.
Mr. S.K. Agnihotri, Adv.
Mr. Rohit K. Singh, Adv.
For Maharashtra: Mr. U.U. Lalit, Adv.
Mr. V.N. Raghupathy, Adv.
For Bihar: Mr. B.B. Singh, Adv.
For Rajasthan: Mr. Ranjit Thomas, Adv.
Ms. Bharati Upadhyay, Adv.
Mr. D.K. Thakur, Adv.
Mr. V.N. Raghupathy, Adv.

For Haryana: Mr. Mahabir Singh, Adv.

For State of T.N.: Mr. A.K. Ganguli, Sr. Adv.
Ms. Chitra Venkataraman, Adv.
Ms. Revathy Raghavan, Adv.

For Goa: Ms. A. Subhashini, Adv.

For U.O.I. Mr. Raju Ramachandran, ASG
Mr. R.P. Bhatt, Sr. Adv.
Mr. Rajiv Tyagi, Adv.
Ms. Neera Gupta, Adv.
Mr. B.V.B. Das, Adv.
Mr. Y.P. Mahajan, Adv.
Mr. P. Parmeswaran, Adv.
Mr. S.N. Terdol, Adv.
Mr. B.K. Prasad, Adv.
Mrs. Anil Katiyar, Adv.
Mrs. Sushma Suri, Adv.

For N.C.T. of Delhi: Mr. K.C. Kaushik, Adv.
Mr. D.S. Mahra, Adv.

For Gujarat: Ms. Hemantika Wahi, Adv.
Ms. Sumita Hazarika, Adv.
Ms. Anu Sawhney, Adv.

For State of W.B.: Mr. Dilip Sinha, Adv.
Mr. J.R. Das, Adv.
for M/s. Sinha & Das, Adv.

Res. in WP 69, 72/2000, Mr. Tara Chandra Sharma, Adv.
997/2001 & 426/2002: Ms. Neelam Sharma, Adv.
(State of W.B.) Mr. Ajay Sharma, Adv.

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For Karnataka: Mr. Sanjay R. Hegde, Adv.
Mr. Satya Mitra, Adv.
Mr. K.R. Nagaraja, Adv.

For Kerala: Mr. K.R. Sasiprabhu, Adv.
Mr. John Mathew, Adv.
Mr. K. Sangeeta, Adv.
Mr. Sushil Tekriwal, Adv.
Mr. Ramesh Babu M.R., Adv.

In WP 195/2000:
(Resp.) Mr. M.N. Shroff, Adv.
Mr. Chirag M. Shroff, Adv.

For Andhra Pradesh: Mr. G. Prabhakar, Adv.
Ms. T. Anamika, Adv.
Ms. R. Madhavi Latha, Adv.
Mr. K. Ram Kumar, Adv.
Mr. Anil Kumar Tandale, Adv.

For Bihar: Mr. B.B. Singh, Adv.

For Punjab: Mr. H.M. Singh, Adv.

Mr. Kaushal Yadav, Adv.
Mr. R.S. Suri, Adv.
Mr. Anil Hooda, Adv.

For Arunachal Pradesh: Mr. Anil Shrivastava, Adv.
Ms. Jyoti Dutt, Adv.

For Meghalaya: Mr. Ranjan Mukherjee, Adv.

For Uttar Pradesh: Mr. Y.P. Dhingra, Adv.
Mr. R.C. Verma, Adv.
Mr. Mukesh Verma, Adv.
Mr. Manish Shanker, Adv.

For O.S.R.T.C.: Mr. R.P. Wadhvani, Adv.

In CA 972-73/01: Mr. Guru Krishna Kumar, Adv.
Ms. Srikala Guru, Adv.
Mr. C.K.M. Singh, Adv.
Mr. S.R. Setia, Adv.

In CA 976-979/2001: Mr. K.M.K. Nair, Adv.

In CA 976-979/2001 & WP 195/99: Mr. P.R. Ramasesh, Adv.

In CA 976-979/2001: Mr. P.P. Singh, Adv.

In WP 195/1999: Ms. Krishna Sarma, Adv.
Ms. Asha Gopalan Nair, Adv.
Mr. V.K. Sidharthan, Adv.
for M/s. Corporate Law Group, Adv.

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In WP 534/01, 540/01, 602/98 & 407/02: Mr. R.S. Jena, Adv.

For Jharkhand: Mr. Ashok Mathur, Adv.
Mr. Arup Banerjee, Adv.

Mr. H.K. Puri, Adv.
Mr. S.K. Puri, Adv.
Mr. Rajesh Srivastava, Adv.
Mr. Ujjwal Banerjee, Adv.
Ms. Anindita Gupta, Adv.

For SAIL:
(CA 997/01) Mr. Sunil Kumar Jain, Adv.
Ms. Reeta Chaudhary, Adv.

In CA 936-938/01: Mr. Satish Vig, Adv.

Mr. Naresh K. Sharma, Adv.

Mr. N. Ganpathy, Adv.

Mr. Prem Malhotra, Adv.

Mr. K. Swami, Adv.

327/2000,145/2000,399/2000,400/2000,418/2000,110/2000,615/2000,@@
CC
187/2001,268/2001,178/2001,506/2001,516/2001,547/2001,540/2001,@@
CC
534/2001,570/2001,3/2002,13/2002,17/2002,44/2002,20/2002,136-@@
CC
137/2002,156-157/2002,C.A.Nos.1649-1654/2001,81/2002,SLP(C)@@
CC
Nos.5579/2001,13109/2001,13190/2001,16289/2001,18556/2001,@@
CC
6110/2002,6189/2002,6251/2002,6281/2002,12076/2002,W.P.@@
CC
(C)Nos.207/2002,329/2002,282/2002,303/2002,407/2002,304/@@
CC
2002,415/2002,426/2002,432/2002,458/2002and597/2002.@@
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(S.B. Sinha)@@
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.....J.@@
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(AR. Lakshmanan) @@
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New Delhi,
January 28, 2003.