

ITEM NO.301

Court No.3

SECTION XI

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

Petition(s) for Special Leave to Appeal (Civil) No(s).20558/2009

(From the judgement and order dated 04/05/2009 in SA No. 388/2008
of The HIGH COURT OF U.P AT LUCKNOW)

STATE OF U.P.& ANR.

Petitioner(s)

VERSUS

SANTOSH KUMAR MISHRA & ANR.

Respondent(s)

(With appln(s) for impleadment)

(For final disposal)

WITH SLP(C) NO. 20769 of 2009

(With appln(s) for impleadment and impleadment as party respondent
and with prayer for interim relief and office report)

SLP(C) NO. 20774 of 2009

(With prayer for interim relief and office report)

SLP(C) NO. 20785 of 2009

(Application for impleadment and office report)

SLP(C) NO. 20901 of 2009

(With prayer for interim relief and office report)

SLP(C) NO. 20908 of 2009

(With prayer for interim relief and office report)

SLP(C) NO. 22114 of 2009

SLP(C) NO. 22655 of 2009

(With appln. for impleadment and with prayer for interim relief and
office report)

SLP(C) NO. 22678 of 2009

(With appln. for impleadment and with prayer for interim relief and
office report)

SLP(C) NO. 22732 of 2009

(With appln. for intervention)

SLP(C) NO. 22749 of 2009

SLP(C) NO. 22851 of 2009

(With appln. for correction and with prayer for interim relief and
office report)

With Contempt Petition @ No.126 of 2010 in SLP(C) No. 22851/09

SLP(C) NO. 22955 of 2009

SLP(C) NO. 25647 of 2009

(With prayer for interim relief and office report)

SLP(C) NO. 25649 of 2009

(With prayer for interim relief and office report)

SLP(C) NO. 32977 of 2009

(With office report)

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Date: 05/05/2010 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ALTAMAS KABIR

HON'BLE MR. JUSTICE SURINDER SINGH NIJJAR

For Petitioner(s)

SLP 20558/09

Ms. Shobha Dikshit, Sr. Adv.

Mr. Dinesh Dwivedi, AAG.

Ms. Niranjana Singh, Adv.

Mr. S.K. Dwivedi, Adv.

Ms. Malvika Trivedi, Adv.

Mr. Ashutosh Kr. Sharma, Adv.

Ms. Vandana Mishra, Adv.

SLP 21570/06 Mr. L. Nageshwar Rao, Sr. Adv.
Mr. Arunav Patnaik, Adv.
Ms. Soma Patnaik, Adv.
Mr. Shibashish Misra, Adv.

Intervenor' in
SLP 20558/09 Ms. Indu Malhotra, Sr. Adv.
Mr. Saurabh Misra, Adv.

In SLP 25647/09 Mr. Vinod Kumar, Adv.
Mr. Joydeep Mazumdar, Adv.
Mr. C.R. Addy, Adv.

IA 69 in SLP
22732/09 Mr. Rajesh Kumar, Adv.
Mr. Kaushal Yadav, Adv.
Mr. Neeraj shekhar, Adv.

For applicant in
SLP 22732/09 Mr. Jetendera Singh, Adv.
Ms. Priyanka Singh, Adv.
Mr. S.K. Sabharwal, Adv.

For applicant in
SLP 22732/09 Mr. Rajesh Kumar, Adv.
Mr. Kaushal Yadav, Adv.
Mr. Neeraj Shekhar, Adv.

For applicant in
IA 43 & 78/09 Mr. S.R. Singh, Sr. Adv.
Mr. D.N. Dubey, Adv.
Ms. Sunita Pandit, Adv.
Mr. A. Nishant Yadav, Adv.
Mr. A. Singh, Adv.
Mr. H. Tyagi, Adv.

SLP 22851/09 Mr. Vivek Vishnoi, Adv.
Mr. Mukesh Verma, Adv.
Mr. Yash Pal Dhingra, Adv.

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Mr. Aftab Alam, Adv.

SLP 20558/09 Mr. Ajay Kr. Mishra, Sr. Adv.
Mr. Praveen Agrawla, Adv.
Ms. Anuradha Dubey Mishra, Adv.
Mr. Tulica M., Adv.
Mr. Vikram, Adv.
Mr. R.R. Tiwary, Adv.

SLP 22732/09: Mr. Rashid Khan, Adv.
Mr. Sandeep Garosa, Adv.
Mr. Suresh Singh, Adv.
Mr. Mehtab Khan, Adv.
Mr. Aftab Ali Khan, Adv.

SLP 20558/09 Dr. sumant Bhardwaj, Adv.
Mr. Vivekanand Mishra, Adv.
Ms. Archana pathak Dave, Adv.
Ms. Mridula Ray Bhardwaj, Adv.

For applicant in IA
48 in SLP 20558/09 Mr. Yogesh Tiwari, Adv.
Dr. Ms. Vipin Gupta, Adv.

Ms. Anu Gupta, Adv.

Mr. Chiraranjan Addey, Adv.

Mr. T. Mahipal, Adv.

For Respondent(s) in SLP 22658/09 22678 & 22955/09	Mr. Mukesh Verma,Adv. Mr. Vivek Vishnoi,Adv. Mr. Yash Pal Dhingra,Adv.
SLP 20769/09	Mr. Kailash Vasdev,Sr.Adv. Mr. Ritesh Agrawal,Adv. Mr. Pankaj Singh,Adv. Mr. C.L. Sahu,Adv.
For impleadment/ Respondent in SLP 20558/09	Dr. Sumant Bhardwaj,Adv. Ms. Archana Pathak Dave,Adv. Mr. Ajit Kumar Gupta,Adv. Ms. Mridula Ray Bhardwaj,Adv. Mr. S.K. Verma,Adv.
Res.1,2,6,17 & 18 In SLP 22749/09 & Res. 1,3,4 & 5 in SLP 22678/09	Mr. Mukesh K. Giri,Adv. Ms. Vidya Bhardwaj,Adv.
In SLP 20769/09 For res.1, 3 to 7, 11 to 17 & 19 to 22	Mr. Vishwajit Singh,Adv.
In SLP 20558/09	Mr. Jasbir Singh Malik,Adv. Mr. S.K. Sabharwal,Adv.
In SLP 20769/09	Ms. June Chaudhari,Sr.Adv. Mr. Mukesh Verma,Adv. Mr. Vivek Vishnoi,Adv. Mr. Yash Pal Dhingra,Adv.
In SLP 22851/09	Mr. Anoop G. Choudhary,Sr.Adv. Mr. Mukesh Verma,Adv. Mr. Vivek Vishnoi,Adv. Mr. Yash Pal Dhingra,Adv.
In SLP 20558/09	Mr. P.S. Narasimhan,Sr.Adv. Mr. Mukesh Verma,Adv. Mr. Vivek Vishnoi,Adv. Mr. Pawan Shukla,Adv. Mr. Yash Pal Dhingra,Adv. Mr. Aftab Alam,Adv.
SLP 32977/09:	Mr. Sanjay Mani Tripathi,Adv. Mr. Kamal Kant Tripathi,Adv. Ms. Gauri Karuna Karna Das,Adv.
in SLP 20558/09	Mr. Shree Pal Singh,Adv. Mr. Rahul Singh,Adv. Mr. K.S. Rama Rao,Adv.
In SLP 20558/09	Mr. Ajay Kumar Misra,Sr.Adv. Mr. Praveen Agrawal,Adv. Ms. Anuradha D. Misra,Adv. Ms. Tulika Mukherjee,Adv. Mr. R.C. Tewari,Adv.
For intervenor in SLP 20558/09 & 22732/09	Mr. Vivek Singh,Adv.
in SLP 22749 & 22732/09	Ms. Vidya Bhardwaj,Adv. Mr. Mukesh K. Giri,Adv.

In SLP 22732/09 Mr. Rashid Khan,Adv.
Mr. Abdul Qadir,Adv.
Mr. Mehtab Bhai,Adv.
Mr. Sandeep Govosa,Adv.

In SLP 22732/09 Mr. A. Mariaputham,Sr.Adv.
Mr. Santosh Tripathi,Adv.

Mr. Onkar Pandey Dev,Adv.
Mr. Sarika Singh,Adv.
Mr. S.K. Mishra,Adv.
Mr. Devyata,Adv.

In SLP 22732/09 Mr. Pankaj Kumar Singh,Adv.
Mr. J.P.N. Gupta,Adv.
Mr. K.L. Janjani,Adv.

SLP 22732/09: Mr. Anish Kumar Gupta,Adv.
Mr. Jitender Singh,adv.
Ms. Deep Shikha Bharti,Adv

In SLP 20769/09 Mr. Vishwajit Singh,Adv.
Mr. Siddharth Sagar,Adv.
Mr. Abhinder Maheshwari,Adv.
Mr. Pankaj Singh,Adv.

In SLP 20774/09 Mr. Vinod Kumar Singh,Sr.Adv.
Ms. Rashmi Singh,Adv.
& SLP 20901/09 Mr. Mukesh Verma,Adv.
Mr. Yash Pal Dhingra,Adv.

IA Nos.29,35,56 Mr. Abhith Kumar,Adv.
in SLP 20558/09 Mr. Pankaj Sharma,Adv.
Ms. Archana Singh,Adv.

SLP 20558/09 Mr. Ajay Kumar Misra,Adv.
Mr. Praveen Agrwal,Adv.
Ms. Anuradha Dubey,Adv.
Mr. Tulika Mukherjee,Adv.
Mr. Bharat Dubey,Adv.

SLP 20558, 20774, Mr. D. Roy Choudhary,Sr.Adv.
20769,22655,22678, Ms. Hema Sahu,Adv.
22732,22851,22955, Mr. Rishab sahu,Adv.

22647,25649,32977 & Mr. C.L. Sahu,Adv.
22114/09 Mr. Santosh Mishra,Adv.
Mr. Dharmendra Kumar Sinha,Adv.

Mr. R.C. Kaushik,Adv.

Ms. S. Janani,Adv.

Mr. S.K. Verma,Adv.

Mr. Vikas Mehta,Adv.

Ms. Asha Gopalan Nair,Adv.

Mr. Rana Ranjit Singh,Adv.

Mr. Vivek Singh, Adv.

Mr. Harinder Mohan Singh, Adv.

UPON hearing counsel the Court made the following

O R D E R

Before submissions to begin today, Mr. S.R. Singh, learned senior counsel, indicated that I.A. Nos. 43/09 and 78/09, have been filed by Tej Bahadur Singh and Others, and Brijesh Kumar Srivastava and Others, for impleadment inasmuch as the outcome of the Special Leave Petitions may affect them adversely although they have succeeded in the writ petition before the High Court. Accordingly, we allow the applicants to intervene in the proceedings and make such submissions as may be required.

Similarly, the applicants in I.A. Nos. 23/09, 90/09, 94/09, 102/10, 32/09, 40/09, 61/09, 85/10, 96/10, 11/09, 32/09, 33/09, 55/09, 82/09, 103/09, 46/09, 47/09, 48/09, 50/09, 51/09, 52/09, 53/09, 54/09, 55/09, 56/09, 62/09, 65/09, 66/09, 68/09, 76/09, 77/09, 81/09, 3 to 22/09, 24 to 30/09, 32 to 40/09, 44/09, 57 to 59/09, 63/09, 64/09, 70/09,

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72 to 75/09, 84/09, 87/09 88/09, 41/09, 71/09 5/09, 45/09, 82/09, 103/09 in SLP(C) No. 22732/09, I.A. Nos. 30, 42, 50, 69, 70, 73, 77/09, 15/09, 6/09, 8/09, 9/09, 10/09, 21/09, 21/09, 30/09, 22/09, 47/09, 4/09, 68/09, 12/09, 3/09, 14/09, 24/09, 13/09, 36/09, 7/09, 16/09, 17/09, 18/09, 23/09, 28/09, 38/09, 39/09, 57/09, 58/09, 63/09, 7/09, 84/09, 67/09, 48/10, 48/10, 30/09, 42/09, 50/09, 69/09, 70/09, 70/09, 73/09, 53/09, 54/09, 11/09, 32/09, 33/09, 55/09, in SLP(C) No. 20558/09, I.A. No. 3/09 I.A. No. 3/09, 4/09, in SLP(C) No. 22655/09, I.A. No. 3/09, 4/09 in SLP(C) No. 20769/09, I.A. No. 6/09, 7/09, 40/09, 34/09, in SLP(C) No. 20758/09, I.A. No.

7/09 in SLP(C) No. 20769/09, I.A. No. 5/09, 20/09, 37/09, who seek imleadment, are also permitted to intervene in the proceedings and make such submissions as may be required.

Contempt Petition (C) No. 126/10 in SLP(C) No. 22851/09 is dismissed in terms of the signed order.

Hearing concluded.
Judgment reserved.

(Ganga Thakur)
PS to Registrar

(Juginder Kaur)
Court Master

Signed order in Contempt Petition is placed on the file.

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IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

CONTEMPT PETITION (C) No. 126 OF 2010

IN

SPECIAL LEAVE PETITION (C) NO. 22851 OF 2009

ANIL KUMAR SRIVASTAVA

... Petitioner(s)

VERSUS

R.R. BHARTI & ANR.

... Respondent(s)

O R D E R

Contempt Petition (C) No. 126/2010, has been filed by Mr. Anil Kumar Srivastava, respondent No.1 in SLP(C) No. 22851/09. Although, in the said Petition Shri R.R. Bharti, Director General, Medical and Health Services, U.P., and Shri O.P. Tiwari, Director (Paramedical), Directorate of Medical Health, U.P. have been made contemnors, there is nothing to indicate that they had knowledge of the Order passed by this Court on 20th December, 2009, while making a subsequent appointment on 8th December, 2009.

The Contempt Petition is accordingly dismissed.

.....J.
(ALTAMAS KABIR)

.....J.

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(SURINDER SINGH NIJJAR)

New Delhi,
May 05, 2010.