

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

I.A. NO.3 IN WRIT PETITION (CIVIL) NO(s). 443 OF 2006

STATE OF ORISSA

Petitioner(s)

VERSUS

GOVERNMENT OF INDIA & ANR.
(for directions and office report)

Respondent(s)

Date: 26/11/2010 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ALTAMAS KABIR
HON'BLE MR. JUSTICE CYRIAC JOSEPH

For Petitioner(s) Mr. Raju Ramachandran, Sr. Adv.
Mr. S.P. Singh, Sr. Adv.
Mr. M.V. Katarkei, Adv.
Mr. Radha Shyam Jena, Adv.

For Respondent(s) Mr. Mohan Jain, ASG
for UOI Mr. B. Chahar, Sr. Adv.
Mr. S. Wasim A. Qadri, Adv.
Mr. D.S. Mahra, Adv.
Ms. Asha G. Nair, Adv.

Mr. C.S. Vaidyanathan, Sr. Adv.
Mr. S.S. Prasad, Sr. Adv.
Mr. S.U.K. Sagar, Adv.
Mr. T.N. Rao, Adv.
Mr. Y. Raja Gopala Rao, Adv.
Ms. Y. Vismai Rao, Adv.

Mrs.D. Bharathi Reddy, Adv.

UPON hearing counsel the Court made the following
O R D E R S

I.A. No. 3 has been filed in this disposed of
Writ Petition, inter alia, for the directions set out
in prayers 'A' and 'B' to the application. Mr. Raju
Ramachandran, learned senior counsel, at very outset
submitted that he is not pressing prayer 'B' and in fact
prayer 'A' is a joint prayer made on behalf of the State
of Orissa and State of Andhra Pradesh.

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By our judgment and order dated 6th February,
2009, passed in the Writ Petition, filed by the State of
Orissa, we had directed the Central Government to
constitute a Water Disputes Tribunal within a period of
six months from the date of the order and to refer the
dispute relating to the construction of the side channel
weir and flood flow canal project at Katragada on the
river Vansadhara by the State of Andhra Pradesh.
Although, the said Tribunal was constituted on 24th
February, 2010, we are informed that the Tribunal has
not been able to function on account of the fact that no
infrastructure has been provided to the Tribunal for the
purpose of holding its meetings. A prayer has,

therefore, been made jointly by the two States for a direction upon the Union of India and provide necessary infrastructure to the Tribunal to function effectively.

We, accordingly, direct the Union of India to ensure that suitable accommodation and infrastructure, which is necessary for the functioning of the Tribunal, including the appointment of staff and providing suitable residential accommodation to the members of the Tribunal are made available within three months from date.

It is unfortunate that although the Tribunal was directed to be constituted more than one and a half years ago, till today, the Tribunal has not been able to function on account of lack of facilities.

We hope that the Union of India shall take immediate steps in terms of these directions.

The application is disposed of accordingly.

(Ganga Thakur) (Juginder Kaur)
PS to Registrar Court Master