

ITEM NO.101(PH)

COURT NO.3

SECTION XI

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). 7508 OF 2005

WEST U.P. SUGAR MILLS ASSOCIATION & ORS.

Appellant (s)

VERSUS

STATE OF UTTAR PRADESH & ORS.

Respondent(s)

(With application for appeal against Registrar's order)

WITH

Civil Appeal NO. 7509-7510 of 2005

[BASTI SUGAR MILLS CO. LTD. V. STATE OF U.P. & ORS.]

(With application for impleading party)

Civil Appeal NO. 150 of 2007

[WEST U.P. SUGAR MILLS ASSN. & ORS.]

Civil Appeal NO. 2664 of 2007

[BAJAJ HINDUSTAN LTD. V. STATE OF U.P. & ORS.]

(With office report)

Civil Appeal NO. 4026 of 2009

[KISAN MAZDOOR SANGATHAN V. BASTI SUGAR MILLS CO. LTD. & ORS.]

(With prayer for interim relief office report)

Civil Appeal NO. 4024 of 2009

[COOP. CANE DEVT. UNION LTD. V. BASTI SUGAR MILLS CO. LTD. & ORS.]

(With prayer for interim relief and office report)

Civil Appeal NO. 4025 of 2009

[SHAHKARI GANNA VIKAS SAMITI LIMITED V. BASTI SUGAR MILLS CO.

LTD. & ORS.]

Civil Appeal NOS. 4014-4023 of 2009

[STATE OF U.P. & ANR. V. BASTI SUGAR MILLS CO. LTD. & ORS.]

(With application for clarification/modification of court's order, prayer for interim relief and office report)

CONMT. PET.(C) NO. 169 of 2006 in C.A. No.7508/2005

[STATE OF U.P. & ANR. V. S.K. KANORIA & ORS.]

(With office report)

CA NO. 7508 of 2005

2

CONMT. PET.(C) NO. 253 of 2007 in C.A. No.7508/2005

[U.P. CANE UNION FEDERATION LTD. V. S.K. KANORIA & ANR.]

....2/-

CONMT. PET.(C) NO. 254 of 2007 in C.A. No.7508/2005

[U.P. CANE UNION FEDERATION LTD. V. SATYAJEET SINGH MAJITHIA & ANR.]

Civil Appeal NOS. 3911-3912 of 2009

[TIKAULA SUGAR MILLS LTD. & ORS. V. STATE OF U.P. & ORS.]

(With Application for directions and with office report)

Civil Appeal NO. 3925 of 2009
[BAJA HINDUSTHAN LTD. & ANR. V. STATE OF U.P. & ORS.]
(With office report)

Civil Appeal NOS. 3996-3997 of 2009
[M/S UTTAM SUGAR MILLS LTD. & ORS. V. STATE OF UTTARKHAND &
ORS.]
(With prayer for interim relief and office report)

CONMT.PET.(C) NOS.263-264 of 2008 in C.A. Nos.3996-3997/2009
[[COOP. CANE DEV. UNION, UTTARAKHAND V. RAJ KUMAR ADLAKHA &
ANR.]

CONMT.PET.(C) NOS.265-266 of 2008 in C.A. Nos.3996-3997/2009
[[COOP. CANE DEV. UNION. UTTARAKHAND V. MANMOHAN SHARMA]

CONMT.PET.(C) NOS.267-268 of 2008 in C.A. Nos.3996-3997/2009
[COOP. CANE DEV. UNION, HARIDWAR, UTTARAKHAND V S.M. MITTAL &
ANR.]

Civil Appeal NO. 4764 of 2009
[WEST U.P. SUGAR MILLS ASSN. & ORS. V. STATE OF U.P. & ORS.]
(With office report)

SLP(C) NO. 21576-21581 of 2008
[U.P. CO-OPERATIVE CANE UNION FEDERATION V. BASTI SUGAR MILLS
CO. LTD. & ORS.]
(With prayer for interim relief and office report)

SLP(C) NO. 21585-21587 of 2008
[STATE OF U.P. & ANR. V. BASTI SUGAR MILLS CO. LTD. & ORS.]
(With prayer for interim relief and office report)

SLP(C) NO. 18681 of 2008
[[EAST U.P. SUGAR MILLS ASSOCIATION & ORS. V. STATE OF U.P. &
ORS.]
(With Appln(s) for permission to file additional documents, with
prayer for interim relief and office report)
CA NO. 7508 of 2005

3

SLP(C) NO. 19183 of 2008
[M/S. MAWANA SUGARS LTD. V. STATE OF U.P. & ORS.]
(With prayer for interim relief)

....3/-

SLP(C) NO. 20205 of 2008
[MODI SUGAR MILLS & ANR. V. STATE OF U.P. & ORS.]
(With prayer for interim relief and office report)

SLP(C) NO. 20206 of 2008
[M/S SBEC SUGAR LIMITED & ANR. V. STATE OF U.P. & ORS.]
(With prayer for interim relief and office report)

SLP(C) NO. 23202 of 2008
[KISAN MAZDOOR SANGATHAN V. BASTI SUGAR MILLS CO. LTD. & ANR.]

SLP(C) NO. 26026 of 2008
[UTTAM SUGAR MILLS LIMITED & ANR. V. STATE OF UTTARKHAND & ORS.]
(With office report)

Date: 22/11/2011 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DALVEER BHANDARI
HON'BLE MR. JUSTICE T.S. THAKUR
HON'BLE MR. JUSTICE DIPAK MISRA

For appellants/petitioners :

in CA 7508 Mr. Mukul Rohtagi, Sr. Adv.
Mr. Sudhir Chandra, Sr. Adv.
Mr. Jayant Bhushan, Sr. Adv.
Ms. Indu Malhotra, Sr. Adv.
(NP ON 22.11.2011)
Mr. Mahesh Agarwal, Adv.
Mr. Narinder Kumar Verma, Adv.
Mr. Gaurav Goel, Adv.
Mr. Kush Chaturvedi, Adv.
Mr. J.K. Sethi, Adv.
Mr. Vansh Deep Dalmia, Adv.
Mr. Vikas Mehta, Adv.

In CA 7509-7510 Mr. Sudhir Chandra, Sr. Adv.
Mr. Parijat Sinha, Adv.

In CA 150, 3911-12,
CA NO. 7508 of 2005

4

SC 18681 Mr. Mahesh Agarwal, Adv.
Mr. Narinder Kumar Verma, Adv.
Mr. Gaurav Goel, Adv.
Mr. Kush Chaturvedi, Adv.
Mr. J.K. Sethi, Adv.
Mr. Vikas Mehta, Adv.

In CA 2664 Mr. Sudhir Chandra, Sr. Adv.
Mr. Rajesh Tiwari, Adv.
Mr. Sanjeev K. Singh, Adv.
Mr. Uday Singh, Adv.

....4/-

Ms. Ruby Singh Ahuja, Adv.
Mr. Abeer Kumar, Adv.
Mr. Ishan Gaur, Adv.
Mr. J.K. Sethi, Adv.
Mr. Bhagwati Prasad Padhy, Adv.
For M/s. Karanjawala & Co., Advs.

In CA 4026, SC 23202
Mr. V.M. Singh, in person

In CA 4024 & 4025 Mr. Prashant Kumar, Adv.
Mr. Anurag Sharma, Adv.
For M/s. AJ & J Chambers, Advs.

In CA 3925 Mr. Mukul Rohtagi, Sr. Adv.
Mr. Sudhir Chandra, Sr. Adv.
Mr. Rajiv Dutta, Sr. Adv.
Mr. Syed Shahid Hussain Rizvi, Adv.

In CA 3996-97, SC 26026
Mr. J.K. Sethi, Adv.
Ms. Manik Karanjawala, Adv.

In CA 4764
Mr. E.C. Agrawala, Adv.

In SLP 21576-81

Mr. Vishwajit Singh, Adv.

In SLP 19183

Mr. Praveen Kumar, Adv.

In SC 20205 & 20206

Mr. Umesh Kumar Khaitan, Adv.

Ms. Kritika Mehra, Adv.

Ms. Bhumika Manan, Adv.

In CP 253, 254

CA NO. 7508 of 2005

5

Mr. Vishnu Sharma, Adv.

In CP 263-264,

Mr. J.K. Sethi, Adv.

265-266 & 267-268

Mr. P.N. Gupta, Adv.

For Respondent (s)

For Rrs 1 & 2 in CA 4026,

RR 1 in CA 4024, RR 1-2

in CA 4025

Mr. Mukul Rohatgi, Sr. Adv.

Mr. Sudhir Chandra, Sr. Adv.

Mr. Rajiv Dutta, Sr. Adv.

Mr. Rajesh Tiwari, Adv.

Mr. Sanjeev K. Singh, Adv.

Mr. Uday Kumar, Adv.

....5/-

Ms. Ruby Singh Ahuja, Adv.

Mr. Abeer Kumar, Adv.

Mr. Ishan Gaur, Adv.

Mr. J.K. Sethi, Adv.

Mr. Bhagwati Prasad Padhy, Adv.

For M/S. Karanjawala & Co., Adv.

For UOI

Mr. P.P. Malhotra, ASG

(NP on 22.11.2011 & 23.11.2011)

Mr. J.S. Attri, Sr. Adv.

Ms. Indira Sawhney, Adv.

Mr. Gaurav Sharma, Adv.

Ms. Binu Tamta, Adv.

Ms. Sushma Suri, Adv.

Ms. Anil Katiyar, Adv.

For Mr. V.K. Verma, Adv.

For Federation

Mr. Ashok H. Desai, Sr. Adv.

Mr. Ravi P. Mehrotra, Adv.

Mr. Vibhu Tiwari, Adv.

Mr. Shantanu Krishna, Adv.

For State of UP

Mr. M.L. Verma, Sr. Adv.

(in CA 4014-23, SC 18681 & 21585-87)

(NP on 22.11.2011, 23.11.2011 & 24.11.2011)

Dr. Rajeev Dhawan, Sr. Adv.

(in Rest of the matters)

Mr. Ravi P. Mehrotra, Adv.

Mr. Shail Kumar Dwivedi, AAG

Mr. Ajay Singh, Adv.

Mr. Vibhu Tiwari, Adv.

Mr. Mukesh Verma, Adv.

Ms. Vandana Mishra, Adv.

CA NO. 7508 of 2005

6

For State of Uttarakhand

Mr. S.S. Shamsbery, Adv.
Mr. Jatinder Kumar Bhatia, Adv.
Mr. Abhishek Attrey, Adv.

For RR 3 in CA 7508

Mr. Prashant Kumar, Adv.

For RR 1 & 2 in CA 7509-10,

For RR 2 in CA 150

Mr. Vishnu Sharma, Adv.

For RR in CA 7509-10 &

RR 2 in CA 2664

Mr. Prashant Kumar, Adv.
Mr. Anurag Sharma, Adv.
For M/s AP & J Chambers, Adv.

For RR 13 in CA 2664

Ms. V.D. Khanna, Adv.

.....6/-

For RR in 4014-23,

For RR 1 In CA 4017 & 4018

Mr. Umesh Kumar Khaitan, Adv.
Ms. Kritika Mehra, Adv.
Ms. Bhumika Manan, Adv.
Mr. Parvesh Sharma, Adv.

For RR 7 in CA 4014-23

Mr. Bimal Roy Jad, Adv.
Mr. Rajeev K. Bharti, Adv.
Mr. Nopni Gopal Dev, Adv.

For RR 2 in CA 3925

Mr. J.K. Sethi, Adv.
Mr. P.N. Gupta, Adv.

For RR 5 in SC 18681,

in CA 3996-97, CA 4764

RR 4 in Ca 4014 & 4015

Mr. Manvendra Verma, Adv.
Mr. Vishwajit Singh, Adv.

In SLP 21576-81,

21585-87, 23202,

Mr. Rajesh Tiwari, Adv.
Mr. Sanjeev K. Singh, Adv.
Mr. Uday Singh, Adv.
Ms. Ruby Singh Ahuja, Adv.
Mr. Abeer Kumar, Adv.
Mr. Ishan Gaur, Adv.
Mr. J.K. Sethi, Adv.

CA NO. 7508 of 2005

7

Mr. Bhagwati Prasad Padhy, Adv.
Ms. Manik Karanjawala, Adv.

In CA 4014-4023

RR 1 in CA 4015

Mr. Mukul Rohtagi, Sr. Adv.
Mr. Sudhir Chandra, Sr. Adv.
Mr. Rajiv Dutta, Sr. Adv.
Mr. Sanjeev Kumar Singh, Adv.
Mr. Uday Kumar, Adv.
Mr. Rajesh Tiwari, Adv.
Mr. Syed Shahid Hussain Rizvi, Adv.

For RR 2 in CA 4015

Mr. K.R. Sasiprabhu, Adv.

For RR 2 in CA 4014,
RR 1-5, 6-11 & 13-15
in CA 4016, For Rrs Mr. Mukul Rohtagi, Sr. Adv.
1-7, 9-11 in
CA 4023

Mr. Sudhir Chandra, Sr. Adv.
Mr. Rajiv Dutta, Sr. Adv.
Mr. Mahesh Agarwal, Adv.
Mr. Narinder Kumar Verma, Adv.

.....7/-

Mr. Gaurav Goel, Adv.
Mr. Kush Chaturvedi, Adv.
Mr. Vikas Mehta, Adv.

For Rrs 12 & 16 in
CA 4016

Mr. J.K. Sethi, Adv.
Mr. Punit D. Tyagi, Adv.

For RR 3 in Ca 4017 & 4018

Mr. Vishnu Sharma, Adv.

For RR 8 in CA
4023

Mr. Sidharth Chowdhary, Adv.

Mr. J.K. Sethi, Adv.
Ms. Bina Gupta, Adv.

Mr. Pradeep Mishra, Adv.

Mr. Gunnam Venkateswara Rao, Adv.

Mr. Ajay Kumar Talesara, Adv.

Mr. T. Mahipal, Adv.

CA NO. 7508 of 2005

8

Mr. Ritesh Agrawal, Adv.

Mr. Ajay Choudhary, Adv.

Mr. Ambhoj Kumar Sinha, Adv.

UPON hearing counsel the Court made the following

O R D E R

Dr. Rajeev Dhawan, learned Senior Counsel
appearing for the State of Uttar Pradesh resumed
his arguments at 10:35 A.M. and was on his legs
when the Court rose for the day leaving the
matters part-heard.

[KALYANI GUPTA]
COURT MASTER

[A.S. BISHT]
COURT MASTER

[INDU SATIJA]
COURT MASTER

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.....8/-

ITEM NO.101(PH)

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

CIVIL APPEAL NO(s). 7508 OF 2005

WEST U.P. SUGAR MILLS ASSOCIATION & ORS.

Appellant (s)

VERSUS

STATE OF UTTAR PRADESH & ORS.

Respondent(s)

(With application for appeal against Registrar's order)

WITH
ALL CONNECTED MATTERS AS LISTED ON 22nd

NOVEMBER, 2011

Date: 23/11/2011 These Appeals/Petitions were called on for hearing.

CORAM AND APPEARANCE SAME AS ABOVE

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

Dr. Rajeev Dhawan, learned Senior Counsel appearing for the State of Uttar Pradesh resumed his arguments at 10:35 A.M. and concluded at 12:40 P.M. Thereafter Mr. Ashok H. Desai, learned Senior Counsel appearing for the Federation made his submissions till 1:00 P.M.

CA NO. 7508 of 2005

10

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Mr. Manvendra Verma, learned counsel for respondent No. 5 in SLP(C) 18681 of 2008 commenced his arguments at 2:45 P.M. and

concluded at 3:30 P.M.

Thereafter, Mr. Sudhir Chandra learned Senior Counsel for Basti Sugar Mills in C.A. No. 7509-7510 of 2005 commenced his submissions and was on his legs when the Court rose for the day leaving the matters remained part-heard.

[KALYANI GUPTA]
COURT MASTER

[A.S. BISHT]
COURT MASTER

[INDU SATIJA]
COURT MASTER

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CA NO. 7508 of 2005

.....10/-

11

ITEM NO.101(PH)

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

CIVIL APPEAL NO(s). 7508 OF 2005

WEST U.P. SUGAR MILLS ASSOCIATION & ORS.

Appellant (s)

VERSUS

STATE OF UTTAR PRADESH & ORS.

Respondent(s)

(With application for appeal against Registrar's order)

WITH

ALL CONNECTED MATTERS AS LISTED ON 22nd NOVEMBER, 2011

Date: 24/11/2011

These Appeals/Petitions were called on for hearing.

CORAM AND APPEARANCE SAME AS ABOVE

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

Mr. Sudhir Chandra, learned Senior Counsel resumed his arguments at 10:30 A.M. and was on his legs leaving the matters part-heard.

[KALYANI GUPTA]
COURT MASTER

[A.S. BISHT]
COURT MASTER

[INDU SATIJA]
COURT MASTER