

(PART-HEARD)

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

RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).20471/2005

(From the judgement and order dated 13/09/2005 in WP No.2460/2005  
of the HIGH COURT OF JHARKHAND AT RANCHI)

M/S ASHOKA SMOKELESS COAL IND.P.LTD.&ORS

Petitioner(s)

VERSUS

UNION OF INDIA AND ORS.

Respondent(s)

(With appln(s) for permission to place addl. documents on record,  
impleadment as party respondent and with prayer for interim relief  
and office report)

(FOR FINAL DISPOSAL)

WITH

SLP(C) NO.20541 of 2005

(With prayer for interim relief)

SLP(C) NO.20542 of 2005

(With prayer for interim relief)

SLP(C) NO.21792 of 2005

(With prayer for interim relief and office report)

SLP(C) NO.22596 of 2005

(With appln(s) for permission to place addl. documents on record,  
directions, clarification of Court's order and with prayer for  
interim relief and office report)

SLP(C) NO.23302 of 2005

(With prayer for interim relief and office report)

SLP(C) NO.23305 of 2005

(With appln(s) for permission to place addl. documents on record  
and with prayer for interim relief and office report)

SLP(C) NO.23323 of 2005

(With appln(s) for permission to place addl. documents on record  
and with prayer for interim relief and office report)

SLP(C) NO.23324 of 2005

(With appln(s) for permission to place addl. documents on record  
and with prayer for interim relief and office report)

SLP(C) NO.23325 of 2005

(With appln(s) for permission to place addl. documents on record  
and with prayer for interim relief and office report)

SLP(C) NO.23326 of 2005

(With appln(s) for permission to place addl. documents on record  
and with prayer for interim relief and office report)

SLP(C) NO.23327 of 2005

(With appln(s) for permission to place addl. documents on record  
and with prayer for interim relief and office report)

SLP(C) NO.23345 of 2005

(With appln(s) for permission to place addl. documents on record  
and with prayer for interim relief and office report)

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SLP(C) NO.23374 of 2005

(With prayer for interim relief and office report)

SLP(C) NO.24403 of 2005

(With prayer for interim relief and office report)

WP(C) No.67/2005

(With appln(s) for directions and ex-parte stay and intervention)

SLP(C) NO.24034 of 2005

(With prayer for interim relief and office report)

T.C.(C) NO.108 of 2005  
T.C.(C) NO.105 of 2005  
T.C.(C) NO.121 of 2005  
T.C.(C) NO.111 of 2005  
T.C.(C) NO.107 of 2005  
T.C.(C) NO.92 of 2005  
T.C.(C) NO.110 of 2005  
T.C.(C) NO.114 of 2005  
T.C.(C) NO.117 of 2005  
T.C.(C) NO.120 of 2005  
T.C.(C) NO.104 of 2005  
T.C.(C) NO.100 of 2005  
T.C.(C) NO.90 of 2005  
T.C.(C) NO.91 of 2005  
T.C.(C) NO.94 of 2005  
T.C.(C) NO.95 of 2005  
T.C.(C) NO.96 of 2005  
T.C.(C) NO.97 of 2005  
T.C.(C) NO.98 of 2005  
T.C.(C) NO.106 of 2005  
T.C.(C) NO.112 of 2005  
T.C.(C) NO.113 of 2005  
T.C.(C) NO.115 of 2005  
T.C.(C) NO.116 of 2005  
T.C.(C) NO.118 of 2005  
T.C.(C) NO.119 of 2005  
T.C.(C) NO.122 of 2005  
T.C.(C) NO.109 of 2005  
T.C.(C) NO.103 of 2005  
T.C.(C) NO.93 of 2005  
T.C.(C) NO.102 of 2005  
T.C.(C) NO.99 of 2005  
T.C.(C) NO.101 of 2005

T.C.(C) NO.89 of 2005

T.C.(C) NO.131 of 2005

T.C.(C) NO.123 of 2005

T.C.(C) NO.124 of 2005

T.C.(C) NO.126 of 2005

T.C.(C) NO.127 of 2005

T.C.(C) NO.129 of 2005

T.C.(C) NO.130 of 2005

T.C.(C) NO.132 of 2005

T.C.(C) NO.133 of 2005

T.C.(C) NO.134 of 2005

T.C.(C) NO.135 of 2005

T.C.(C) NO.136 of 2005

C.A.No.2972 of 2005

(With appln(s) for intervention, exemption from filing c/c of the impugned judgment and with prayer for interim relief and office report)

C.A.No.2973 of 2005

(With appln(s) for intervention, impleadment and with prayer for interim relief and office report)

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C.A.No.2974 of 2005

(With appln(s) for exemption from filing c/c of the impugned judgment and with prayer for interim relief and office report)

C.A.No.2975 of 2005

(With appln(s) for exemption from filing c/c of the impugned judgment, permission to place addl. documents on record and with prayer for interim relief and office report)

C.A.No.2976 of 2005

(With appln(s) for exemption from filing c/c of the impugned judgment and with prayer for interim relief and office report)

T.C.(C) NO.18 of 2006

T.C.(C) NO.13 of 2006

T.C.(C) NO.4 of 2006

T.C.(C) NO.17 of 2006

T.C.(C) NO.16 of 2006

T.C.(C) NO.8 of 2006

T.C.(C) NO.11 of 2006

T.C.(C) NO.14 of 2006

T.C.(C) NO.12 of 2006

T.C.(C) NO.139 of 2006

T.C.(C) NO.138 of 2006

T.C.(C) NO.137 of 2006

T.C.(C) NO.125 of 2006

T.C.(C) NO.10 of 2006

T.C.(C) NO.5 of 2006

T.C.(C) NO.15 of 2006

T.C.(C) NO.9 of 2006

T.C.(C) NO.128 of 2005

T.C.(C) NO.19 of 2006

(With appln. for permission to file addl. documents and  
amendment of cause title)

T.C.(C) NO.20 of 2006

T.C.(C) NO.21 of 2006

T.C.(C) NO.22 of 2006

T.C.(C) NO.23 of 2006

T.C.(C) NO.24 of 2006

T.C.(C) NO.25 of 2006

T.C.(C) NO.26 of 2006

T.C.(C) NO.27 of 2006

T.C.(C) NO.28 of 2006

T.C.(C) NO.29 of 2006

T.C.(C) NO.31 of 2006

T.C.(C) NO.32 of 2006

T.C.(C) NO.33 of 2006

T.C.(C) NO.34 of 2006

T.C.(C) NO.36 of 2006

T.C.(C) NO.37 of 2006

T.C.(C) NO.39 of 2006

T.C.(C) NO.38 of 2006

T.C.(C) NO.40 of 2006

T.C.(C) NO.41 of 2006

T.C.(C) NO.42 of 2006

T.C.(C) NO.43 of 2006

T.C.(C) NO.44 of 2006

T.C.(C) NO.45 of 2006

T.C.(C) NO.30 of 2006

T.C.(C) NO.7 of 2006

T.C.(C) NO.35 of 2006

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C.A.No.5547/2004

(With office report)

SLP(C) No.4300/2005

(With prayer for interim relief and office report)

SLP(C) No.25059/2005

(With appln. for permission to place addl. documents on record  
and with prayer for interim relief and office report)

SLP(C) No.25131/2005

(With appln. for permission to place addl. documents on record  
and with prayer for interim relief and office report)

SLP(C) NO.25140 of 2005

(With appln. for permission to place addl. documents on record  
and with prayer for interim relief and office report)

SLP(C) NO.25149 of 2005

(With appln. for permission to place addl. documents on record  
and with prayer for interim relief and office report)

SLP(C) NO.25150 of 2005

(With appln. for permission to place addl. documents on record  
and with prayer for interim relief and office report)

SLP(C) NO.25192 of 2005

(With appln. for permission to place addl. documents on record  
and with prayer for interim relief and office report)

SLP(C) NO.899 of 2006

(With prayer for interim relief and office report)

T.C.(C) NO.75 of 2006

(ALL FOR FINAL DISPOSAL)

CONTEMPT PETITION (CIVIL) No.18/2006 in TC(C) No.101/2005

(With office report)

CONTEMPT PETITION (CIVIL) No.19/2006 in TC(C) No.19/2006

CONTEMPT PETITION (CIVIL) No.24/2006 in SLP(C) No.24403/2005

Date: 21/02/2006 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.B. SINHA

HON'BLE MR. JUSTICE P.P. NAOLEKAR

For Petitioner(s)/Appellant(s):

(in TC(C) 30/06, 15/06, 27/06, 37/06,

SLP(C) 22596/05, 20541/05, 20542/05, 21792/05

& CA 5547/04)

Mr. A.K. Ganguli, Sr.Adv.

Mr. S.D. Sanjay, Adv.

Mr. Devashish Bharuka, Adv.

Mr. Pankaj Bhagat, Adv.

Mrs. Hansa Bharuka, Adv.

Dr. Sushil Balwada, Adv.

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(in TC(C) 11/06

Mr. Altaf Ahmad, Sr. Adv.

Mr. S.D. Sanjay, Adv.

Mr. Devashish Bharuka, Adv.

Mr. Pankaj Bhagat, Adv.

Mrs. Hansa Bharuka, Adv.

Dr. Sushil Balwada, Adv.

(in SLP(C) 24034/05,

Mr. Rana Mukherjee, Adv.

20471/05, 23345/05)

Mr. Siddharth Gautam, Adv.

Mr. Goodwill Indeevar, Adv.

(in WP(C) 67/05)

Mr. M.P. Jha, Adv.

Mr. Ram Ekbal Roy, Adv.

Mr. Harshvardhan Jha, Adv.

(in TC(C) 10/06)

Mr. Jaideep Gupta, Sr. Adv.

Mr. Amit Meharia, Adv.

Mr. Mohan Prasad Mehria, Adv.

(in TC(C) 7/06)

Mr. Dipankar Gupta, Sr. Adv.

Mr. Jaideep Gupta, Sr. Adv.

Mr. Amit Meharia, Adv.

Mr. Mohan Prasad Mehria, Adv.

(in SLP(C) 899/05) Mr. S.K. Bagga, Sr. Adv.

Mr. Seeraj Bagga, Adv.

Mrs. Sureshta Bagga, Adv.

(in TC(C) 8/06

Mr. Bijan Kumar Ghosh, Adv.

& 9/06) Mr. Sukhendu Sekhar,Adv.

(in TC(C) 116/05 Mr. Rajiv Mehta,Adv.  
& CA 2975/05) Mr. B. Aggarwal,Adv.  
Mr. A. Henry,Adv.

(in SLP(C) 24403/05, Mr. T. Anil Kumar,Adv.  
CP 18, 19 & 24/06) Mr. Rana Mukherjee,Adv.  
Mr. Manish Shankar Verma,Adv.  
Mr. Anupam Lal Das,Adv.

(in TC(C) 113/05) Mr. Arjun V. Bobde,Adv.  
Mr. Hrishikesh Baruah,Adv.  
Ms. Jyoti Mendiratta,Adv.  
Mr. Manish Pitale,Adv.  
Mr. Chander Shekhar Ashri,Adv.  
Mr. Rajesh Singh,Adv.  
Mr. Debasish Bharuka,Adv.  
Mrs. Gouri Karuna Das,Adv.  
Mr. Anu Gupta,Adv.  
Mr. Kamal Kant Tripathi,Adv.

(in TC(C) 100/05) Mr. Shanti Bhushan,Sr.Adv.  
Mr. Rudreshwar Singh,Adv.  
Mr. Tapeshe Kumar Singh,Adv.  
Mr. Manish Kumar Saran,Adv.

(in TC(C) 117/05) Dr. Meera Agarwal,Adv.  
Mr. R.C. Mishra,Adv.

(in TC(C) 19/06) Mr. Anil Kumar Sinha,Adv.  
Mr. Manish Kumar Saran,Adv.

...6/-

Mr. S. Chandra Shekhar,Adv.

(in TC 129/05)

Mrs. Kanchan Kaur Dhodi,Adv.

Mr. Manoj Sharma,Adv.

Mr. P.K. Jain,Adv.

Mr. Surya Kant,Adv.

(In CA 5547/04)

Mr. Bhaskar Gupta, Sr.Adv.

Mr. Mahabir Singh, Sr.Adv.

Mr. K.S. Bhati,Adv.

Ms. Aishwarya Bhati,Adv.

Mr. Anip Sachthey,Adv.

Mr. Ajit Kumar Sinha,Adv.

For Respondent(s) Mr. Gopal Subramaniam, ASG

Mr. K. Radhakrishnan, Sr.Adv.

Mr. Krishan Mahajan,Adv.

Mr. Satyakam,Adv.

Mr. Navin Prakash,Adv.

Mr. V.K. Verma,Adv.

Mr. A. Sharan, ASG

Mr. Ajit Kumar Sinha,Adv.

(in CA 2975/05)

Mr. T.R. Andhyarujina, Sr.Adv.

Mr. Chetan Sharma,Adv.

Mr. Rajiv Nanda,Adv.

Ms. Ramni Taneja,Adv.

Mr. Balu G.,Adv.

Mr. Nishant Gupta,Adv.

Ms. Vani Mehta,Adv.

For State of Bihar

Ms. Vimla Sinha,Adv.

Mr. Gopal Singh,Adv.

(In Tc 75/06)

Ms. Aishwarya Bhati,Adv.

Mr. K.S. Bhati,Adv.

Mr. V.K. Verma,Adv.

Mr. Anip Sachthey,Adv.

Mr. Shrinivas R. Khalap,Adv.

Mr. Mohit Paul,Adv.

(in SLP(C) 16467/04,

Mr. C. Mukund,Adv.

4300/05 & CA 5547/04 Mr. Ashok Kumar Jain,Adv.

Mr. Pankaj Jain,Adv.

Mr. Animesh Saha,Adv.

Mr. Bijoy Kumar Jain,Adv.

Mr. B.B. Singh,Adv.

Mrs. Manik Karanjawala,Adv.

For intervenor/

Mr. N.D.B. Raju,Adv.

applicant

Ms. Bharathi R.,Adv.

(in SLP(C) 20471/05)

Mr. N. Ganpathy,Adv.

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For intervenor/

Mr. N.D.B. Raju,Adv.

applicant

Ms. Bharathi R.,Addv.

(in CA 2972/05)

Mr. Guntur Prabhakar,Adv.

For intervenor/

Mr. Rajendra Kumar,Adv.

applicant

Ms. Bharathi R.,Addv.

(in CA 2973/05)

Mr. Guntur Prabhakar,Adv.

UPON hearing counsel the Court made the following

O R D E R

Mr. Gopal Subramaniam, learned Additional Solicitor General

resumed arguments at 10.30 a.m. and concluded at 12.55 p.m. Thereafter,

Mr. T.R. Andhyarujina, learned senior counsel made arguments upto 2.55

p.m. Mr. Amarendra Sharan, learned Additional Solicitor General made

arguments from 2.55 p.m. till 4.00 p.m. when the Court rose for the day.

The matter remained part-heard.

(A.S. BISHT)

(MEENU SETHI)

(PUSHAP LATA BHARDWAJ)

COURT MASTER

COURT MASTER

COURT MASTER

ITEM NO.1

COURT NO.8

SECTION XVII

(PART-HEARD)

Date: 22/02/2006 These matters were called on for hearing today.

CORAM AND APPEARANCE : SAME AS ON 21/02/2006

UPON hearing counsel the Court made the following

O R D E R

Mr. Rana Mukherjee, learned counsel made arguments from 10.30

a.m. to 10.50 a.m. Thereafter, Mr. Ajit Kumar Sinha and Mr. N.N.

Goswami, Mr. Bhaskar Gupta, Mr. C. Mukund and Mr. Dipankar Gupta,

learned counsel made arguments for about ten minutes each. Mr. R.F. Nariman, learned senior counsel made his reply submissions from 11.25 a.m. to 12.35 p.m. Thereafter, Mr. A.K. Ganguli, learned senior couns  
el  
made arguments upto 2.20 p.m. Thereafter, Mr. Anil Kumar Sinha, learned Advocate General made arguments upto 2.55 p.m.

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Applications for impleadment and intervention are dismissed. The contempt petitions be delinked and be listed separately.

Arguments concluded and Judgment reserved in the rest of th  
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matters.

Written submissions, if any, to be filed by 23.2.2006.

(A.S. BISHT)

(SUMAN WADHWA)

(PUSHAP LATA BHARDWAJ)

COURT MASTER

COURT MASTER

COURT MASTER