

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 and prayer for interim relief
and

office report)(For final disposal)

With

SLP(C) No. 20541/2005(With prayer for interim relief)(For final disposal)

SLP(C) No. 20542/2005(With prayer for interim relief)(For final disposal)

SLP(C) No. 21792/2005(With prayer for interim relief and office report(for final disposal)

SLP(C) No. 22596/2005(With appln(s) for permission to place addl. Documents on record and
directions and clarification of Court's order dated 12.12.2005 and with prayer for interim rel
ief and

office report)(For final disposal)

SLP(C) No. 23302/2005(With prayer for interim relief and office report)(For final disposal)

SLP(C) No. 23305/2005(With appln(s) for permission to place addl. Documents on record and with
prayer for interim relief and office report)(For final disposal)

SLP(C) No. 23323/2005(With appln(s) for permission to place addl. Documents on record and with
prayer for interim relief and office report)(For final disposal)

SLP(C) No. 23324/2005(With appln(s) for permission to place addl. Documents on record and with
prayer for interim relief and office report)(For final disposal)

SLP(C) No. 23325/2005(With appln(s) for permission to place addl.documents on record and direc
tions

and with prayer for interim relief)(for final disposal)

SLP(C) No. 23326/2005(With appln. For permission to place addl.documents on record and with pr
ayer

for interim relief and office report)(For final disposal)

SLP(C) No. 23327/2005(With appln(s) for permission to place addl.documents on record and with

prayer for interim relief and office report)(for final disposal)

SLP(C) No. 23345/2005(With appln(s) for permission to place addl. Documents on record and with

prayer for interim relief and office report)(For final disposal)

SLP(C) No. 23374/2005(With prayer for interim relief and office report)(For final disposal)

SLP(C) No. 24403/2005(With prayer for interim relief and office report)(For final disposal)

W.P.(C) No.67/2005(With appln(s) for directions and ex-parte stay and intervention)(For final disposal)

-2-

SLP(C) No. 24034/2005(With prayer for interim relief and office report)

T.C.(C) No.108/2005(For final disposal)

T.C.(C) No. 105/2005 (For final disposal)

T.C.(C) No. 121/2005 (For final disposal)

T.C.(C) No. 111/2005 (for final disposal)

T.C.(C) No. 107/2005 (For final disposal)

T.C.(C) No. 92/2005 (for final disposal)

T.C.(C) No. 110/2005 (for final disposal)

T.C.(C) No. 114/2005 (for final disposal)

T.C.(C) No. 117/2005 (for final disposal)

T.C.(C) No. 120/2005 (for final disposal)

T.C.(C) No. 104/2005 (for final disposal)

T.C.(C) No.100/2005 (for final disposal)

T.C.(C) No.90 /2005 (for final disposal)

T.C.(C) No.91 /2005 (for final disposal)

T.C.(C) No.94/2005 (for final disposal)

T.C.(C) No.95 /2005 (for final disposal)

T.C.(C) No. 96/2005 (for final disposal)

T.C.(C) No. 97/2005 (for final disposal)

T.C.(C) No. 98/2005 (for final disposal)

T.C.(C) No.106 /2005 (for final disposal)

T.C.(C) No.112 /2005 (for final disposal)

T.C.(C) No.113 /2005 (for final disposal)

T.C.(C) No.115/2005 (for final disposal)

T.C.(C) No.116 /2005 (for final disposal)
T.C.(C) No.118 /2005 (for final disposal)
T.C.(C) No.119 /2005 (for final disposal)
T.C.(C) No.122/2005 (for final disposal)
T.C.(C) No.109/2005 (for final disposal)
T.C.(C) No.103 /2005 (for final disposal)
T.C.(C) No.93 /2005 (for final disposal)
T.C.(C) No.102 /2005 (for final disposal)
T.C.(C) No.99 /2005 (for final disposal)
T.C.(C) No.101 /2005 (for final disposal)
T.C.(C) No.89 /2005 (for final disposal)
T.C.(C) No.131 /2005 (for final disposal)
T.C.(C) No.123 /2005 (for final disposal)
T.C.(C) No.124 /2005 (for final disposal)
T.C.(C) No.126 /2005 (for final disposal)
T.C.(C) No.127 /2005 (for final disposal)
T.C.(C) No.129 /2005 (for final disposal)
T.C.(C) No.130 /2005 (for final disposal)
T.C.(C) No.132 /2005 (For final disposal)
T.C.(C) No.133 /2005 (for final disposal)
T.C.(C) No.134 /2005 (for final disposal)
T.C.(C) No.135 /2005 (for final disposal)
T.C.(C) No.136 /2005 (for final disposal)

C.A.No. 2972/2005(With appn (s) for intervention and exemption from filing c/c of the impugned judgment and with prayer for interim relief and office report)(For final disposal)

C.A.No. 2973/2005(With appln(s) for intervention and impleadment and with prayer for interim relief and office report)

-3-

C.A. No. 2974/2005(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. 2975/2005(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. 2976/2005(With appln(s) for exemption from filing c/c of the impugned judgment and with

prayer for interim relief and office report)(For final disposal)

T.C.(C) No.18 /2006 (for final disposal)

T.C.(C) No.13 /2006 (for final disposal)

T.C.(C) No.4 /2006 (for final disposal)

T.C.(C) No.17 /2006 (for final disposal)

T.C.(C) No.16 /2006 (for final disposal)

T.C.(C) No.8 /2006 (for final disposal)

T.C.(C) No.11 /2006 (for final disposal)

T.C.(C) No.14 /2006 (for final disposal)

T.C.(C) No.12 /2006 (for final disposal)

T.C.(C) No.6 /2006 (for final disposal)

T.C.(C) No.139 /2005 (for final disposal)

T.C.(C) No.138 /2005 (for final disposal)

T.C.(C) No.137 /2005 (for final disposal)

T.C.(C) No.125 /2005 (for final disposal)

T.C.(C) No.10/2006 (for final disposal)

T.C.(C) No.5 /2006 (for final disposal)

T.C.(C) No.15 /2006 (for final disposal)

T.C.(C) No.9 /2006 (for final disposal)

T.C.(C) No.128 /2005 (for final disposal)

T.C.(C) No.19/2006 (for final disposal)

T.C.(C) No.20 /2006 (for final disposal)

T.C.(C) No.21 /2006 (for final disposal)

T.C.(C) No.22 /2006 (for final disposal)

T.C.(C) No.23 /2006 (for final disposal)

T.C.(C) No.24 /2006 (for final disposal)

T.C.(C) No.25 /2006 (for final disposal)

T.C.(C) No.26 /2006 (for final disposal)

T.C.(C) No.27 /2006 (for final disposal)

T.C.(C) No.28 /2006 (for final disposal)

T.C.(C) No.29 /2006 (for final disposal)

T.C.(C) No.31 /2006 (for final disposal)

T.C.(C) No.32 /2006 (for final disposal)
T.C.(C) No.33 /2006 (for final disposal)
T.C.(C) No.34 /2006 (for final disposal)
T.C.(C) No.36 /2006 (for final disposal)
T.C.(C) No.37 /2006 (for final disposal)
T.C.(C) No.39 /2006 (for final disposal)
T.C.(C) No.38 /2006 (for final disposal)
T.C.(C) No.40 /2006 (for final disposal)
T.C.(C) No.41 /2006 (for final disposal)
T.C.(C) No.42 /2006 (for final disposal)
T.C.(C) No.43 /2006 (for final disposal)
T.C.(C) No.44 /2006 (for final disposal)
T.C.(C) No.45 /2006 (for final disposal)

-4-

T.C.(C) No.30 /2006 (for final disposal)
T.C.(C) No.7 /2006 (for final disposal)

T.C.(C) No.35 /2006 (for final disposal)
C.A. No. 5547/2004(With office report)
SLP(C) No. 4300/2005(With prayer for interim relief and office report)
T.P.(C) No. 181/2005(With office report)
Date: 18/01/2006 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.B. SINHA

HON'BLE MR. JUSTICE P.P.NAOLEKAR

For Parties: Mr. K.K. Venugopal, Sr. Adv.

Mr. Rana Mukherjee, Adv.

Mr. Siddharth Gautam, Adv.

Mr. Goodwill Indeevar, Adv.

Mr. R.F. Nariman, Sr. Adv.

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

Mr.Devashish Bharuka, Adv.

Mr.S.D.Sanjay, Adv.

Mr. Pankaj Bhagat, Adv.

Dr.Sushil Balwada, Adv.

Mr.Anil Kumar Sinha,Sr. Adv.

Mr. Manish Kumar Saran, Adv.

Mr.Debasish Bharuka, Adv.

Mr.S.D. Sanjay, Adv.

Mr. Pankaj Bhagat, Adv.

Mr.Rajesh Singh, Adv.

Mrs. Gouri Karuna Das, Adv.

Ms.Anu Gupta, Adv.

Mr. Kamal Kant Tirpathi, Adv.

Dr.S. Muralidhar,Adv.

Mr. Anupam Lal Das, Adv.

Mr. Manish Verma, Adv.

Mr. Amit Sharma, Adv.

Mr. M.P.Jha, Adv.

Mr.G.E. Vahanvati, Solicitor General

Mr.Gopal Subramanium,Addl.Solicitor General

Mr.Amrendra Sharan, Addl.Solicitor General

Mr.Ajit Kumar sinha, Adv.

Mr.Anip Sachthey, Adv.

Mr.Shriniwas R. Khalap, Adv.

Mr. Mohit Paul, Adv.

Mr.Gaurav Agrawal, Adv.

Mrs.Akila Agrawal, Adv.

Mr.Saurav Agrawal, Adv.

Mrs. Kanchan Kaur Dhodi, Adv.

Mr. Sukhendu Sekhar Ray, Adv.

Ptr. In T.C.113/05 Mr.Vinod Bobde, Sr. Adv.

Mr.Shyam D. Mudaliar, Adv.

Mr.Arjun V.Bobde, Adv.

Mr. Hrishikesh Baruah, Adv.

Ms. Jyoti Mendiratta, Adv.

-6-

C.A.No.2972 & 2973/05

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

Mr.Rajendra Kumar, Adv.

Ms. Bharathi R., Adv.

Mr.Guntur Prabhakar, Adv.

Ms.Suparna Srivastava, Adv.

Ms. Deepti Singh, Adv.

Mr.Rajesh Srivastava, Adv.

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

Mr.Chetan Sharma, Sr.Adv.

Mr.Rajiv Nanda, Adv.

Ms.Ramni Taneja, Adv.

Mr. Balu G., Adv.

Ms. Vani Mehta, Adv.

Mr. Nishant Gupta, Adv.

Mr.Rakesh Kundan, Adv.

RR in C.A.No. 5547/04

Mr. Pankaj Jain, Adv.

Mr.Anineesh Saha, Adv.

Mr.B.K.Jain, Adv.

Ptr.in T.C.129/05

Mr. Manoj Sharma, Adv.

Ms. Kanchan Kaur Dhodi, Adv.

UPON hearing counsel the Court made the following

O R D E R

SLP(C) No. 4300/2005

Issue notice.

T.P.(C) No. 181/2005

Transfer petition is allowed in terms of the signed order.

It has been pointed out by learned Additional Solicitor General appearing on behalf of

Union of India that no Rule Nisi has yet been issued in the transferred cases. Let Rule Nisi be issued in

the transferred cases.

Mr. Ajit Kumar Sinha, learned counsel accepts notice on behalf of Coal India Ltd. Mr.

V.K. Verma, learned counsel accepts notice on behalf of Union of India. As the parties have appeared in

all the matters, the requirement of service of formal notice is dispensed with.

-7-

Counter affidavit, if any, be filed within one week. Rejoinder, thereto, be filed within three

days thereafter.

List on 31.1.2006 as part-heard.

We must note that assurance has been given by the learned Solicitor General appearing on

behalf of Coal India Ltd. and other subsidiary Companies that the interim order of this Court dated

December 12, 2005 shall be implemented in letter and spirit.

We would clarify that so far as furnishing of security for the balance 66 2/3% of the

enhanced price is concerned, the Coal Companies shall not insist on furnishing ba

nk guarantees and

shall supply Coal on their furnishing undertakings by the Managing Director or Managing Partner of

the Company/Firm, as the case may be, apart from indemnity bonds or other types of securities subject

of course to the compliance of other directions.

T.C.(C) No. 6/2006

List on 24.1.2006, if the same bench is available, otherwise whenever this bench is available.

(Meenu Sethi)

(Pushap Lata Bhar

dwaj)

Court Master

Court Master

Signed order in T.P.(C) No. 181/2005 is placed on the file