

ITEM NO.23

COURT NO.1

SECTION XIV

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 (C) No(s). 31233/2010

(Arising out of impugned final judgment and order dated 12/05/2010 in PIL No. 52/2007 passed by the High Court Of Gauhati)

RAHUL AGGARWAL

Petitioner(s)

VERSUS

STATE OF ARUNACHAL PRADESH &amp; ORS.

Respondent(s)

(with office report)

WITH SLP(C) No. 34696/2010  
Office Report)

Date : 13/05/2016 This petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MRS. JUSTICE R. BANUMATHI  
HON'BLE MR. JUSTICE A.M. KHANWILKAR

For Petitioner(s) Mr. Anjani Kumar Mishra,Adv.  
(SLP 31233/10) Mr. Shiv Ram Pandey,Adv.

(SLP 34696/10) Mr. Prashant Bhushan,Adv.  
Mr. Omankakuttan K.K.,Adv.

For Respondent(s) Mr. Shekhar Naphade,Sr.Adv.  
Mr. Anil Shrivastav,Adv.  
Mr. Ritu Raj,Adv.

Mr. Maninder Singh,ASG  
Mr. K. Radhakrishna,Sr.Adv.  
Ms. Ranjana Narayan,Adv.  
Mr. Shreekant N. Terdal,Adv.  
Mr. T.A. Khan,Adv.  
Mr. Neeraj Kumar Sharma,Adv.  
Ms. Anil Katiyar,Adv.

Mr. P.P. Rao,Sr.Adv.  
Mr. Shyam Diwan,Sr.Adv.  
Mr. Vikas Singh,Sr.Adv.  
Mr. Manish Goswami,Adv.

Mr. Arvind Kumar Sharma, Adv.

Mr. Rameshwar Prasad Goyal, Adv.

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

Heard.

Although we had by our Order dated 6<sup>th</sup> December, 2010 issued notice limited to the question whether the matter can be remanded back to the High Court, we are of the view that since serious issues have been raised for consideration of this Court the scope of the special leave petitions needs to be enlarged. We do so accordingly.

Mr. Prashant Bhushan, learned counsel appearing for the petitioner-Voluntary Arunachal Senaa in SLP(C)No.34696 of 2010, submits that huge payments have been made in connection with transportation of food-grains in the State of Arunachal Pradesh without following any transparent method of allotment of contracts for such carriage. He further submits that according to his instructions those engaged for transportation work were related to the incumbent Chief Minister of the State at the relevant point of time.

Mr. Shekhar Naphade, learned senior counsel appearing for the respondent-State, on the other hand, submits on the basis of counter affidavit that the entire issue, relating to the validity and regularity of the award of carriage contracts and the reasonableness of the carriage rates, was gone into more than one once by three successive committees appointed by the

Government. He submits that each one of the committees had critically evaluated the process of award of contracts as also the reasonableness of the rates and come to the conclusion that there was no unfair advantage given to anybody leave alone any element of corruption or bribery in the award of contract. Mr. Naphade seeks time to place on record the reports mentioned by him in support of his submission that the matter was examined threadbare and the allegation of misuse of official position or malversation of public funds, found to be false.

Let the needful be done by Mr. Naphade within six weeks from today.

Post after ensuing summer vacation.

(MAHABIR SINGH)  
COURT MASTER

(VEENA KHERA)  
COURT MASTER