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ITEM NO.1  
[PART-HEARD]

COURT NO.6

SECTION PIL

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

WRIT PETITION (CIVIL) NO(s). 435 OF 2012

GOA FOUNDATION

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(With application for directions, modification of Court's order intervention, interim Relief, stay/direction, clarification of Court's order, permission to file additional affidavit and office report)

WITH  
WRIT PETITION ) NO. 99/2013  
M/S H.L. NATHURMAL V. UNION OF INDIA AND ORS.]  
(With application for ex parte stay, directions and office report)

T.C. No. 136/2013 @ T.P.(C) NO. 8 of 2013  
[V.M. SALGAOCAR & BROTHER PVT. LTD. & ANR. V. THE SHAH COMMISSION OF INQUIRY & ORS.]  
(With office report)

T.C. No.133/2013 @ T.P.(C) NO. 230 of 2013  
[GOA MINING ASSOCIATION V. SHAH COMMISSION & ORS.]  
(With application for ex-parte stay and office report)

T.C. No.131/2013 @ T.P.(C) No. 1441 of 2013  
[DEEPAK M. GHARSE V. UNION OF INDIA & ORS.]  
(With office report)

T.C. No.132/2013 @ T.P.(C) No. 1186 of 2013  
[M/S. PANDURANG TIMBLO INDUSTRIES & ORS. V. THE SHAH COMMISSION OF INQUIRY AND ORS.]  
(With office report)

T.C. No..... @ T.P.(C) No. 574 of 2013  
[SOCIEDADE TIMBLO IRMAOS LIMITADA & ANR. V. UNION OF INDIA & ORS.]  
(With office report)

T.C. No..... @ T.P.(C) No. 766 of 2013  
[ANA BERTA DO REGO E. FERNANDES & ANR. V. UNION OF INDIA & ORS.]  
(With application for ex-parte stay and office report]

T.C. No..... @ T.P.(C) No. 770 of 2013  
[SOCIEDADE TIMBLO IRMAOS LIMITADA & ANR. V. UNION OF INDIA & ORS.]  
(With application for ex-parte stay and office report]

T.C. No..... @ T.P.(C) No. 776 of 2013  
[SHRI ALEIXO MANUAL C.P. DA COST V. UNION OF INDIA & ORS.]  
(With application for ex-parte stay and office report]

T.C. No..... @ T.P.(C) No. 836 of 2013  
[KUNDA RAGHUVIR GHARSE V. UNION OF INDIA & ORS.]  
(With application for ex parte stay and office report)

T.C. No.134/2013 @ T.P.(C) No. 864 of 2013  
[NOOR MOHD. ABDUL KARIM & ANR. V. UNION OF INDIA & ORS.]  
(With application for ex parte stay and office report)

T.C. No.135/2013 @ T.P.(C) No. 866 of 2013  
[KAMALINI RAMAKANT PAIGUINKAR & ORS. V. UNION OF INDIA & ORS.]  
(With application for ex parte stay and office report)

T.C. No.138/2013 @ T.P.(C) No. 869 of 2013  
[M.S BADDRUDINHASSAINBHAI MAVANI V. UNION OF INDIA & ORS.]  
(With application for ex parte stay and office report)

IA NO. 2580 & 2669 in IA 2580 in WP(C) NO.202/1995  
[T.N. GODAVARMAN THIRUMULPAD V. UNION OF INDIA & ORS.]  
(Recommendations of CEC in Application No. 1041 and directions)

WRIT PETITION ) NO. 184 of 2013  
[RAJESH P. TIMBLOO V. UNION OF INDIA & ORS.]  
(With application for permission to file additional documents and office report)

IA NO. 1000 with 982-984, 1026-1028, 1123-1124, 1197-1199, 1210-1211, 1250-1251, 1512 and 1412 in 887 with 1992 in WP(C) No. 202 of 1995  
[T.N. GODAVARMAN THIRUMULPAD V. UNION OF INDIA & ORS.]  
(For directions, recommendation of CEC, impleadment and exemption from filing official translation)

SLP(C)... CC 6594/2007  
[STATE OF M.P., DEPTT. OF MINR. RES. TR. OIC. V. RAJEEV GOSWAMI & ORS.]  
(With application for condonation of delay in filing SLP and office report)  
WITH  
IA Nos. 170-175 in WP(C) NO.460/2004  
[GOA FOUNDATION V. UNION OF INDIA]  
(For direction and impleadment)

IA NOS. 176-178 in WP(C) NO.460/2004  
[GOA FOUNDATION V. UNION OF INDIA]  
(For impleadment, direction, permission to file additional documents)

Date: 30/10/2013 These Petitions/Applications were called on  
for hearing today.

CORAM :  
HON'BLE MR. JUSTICE A.K. PATNAIK  
HON'BLE MR. JUSTICE SURINDER SINGH NIJJAR  
HON'BLE MR. JUSTICE FAKKIR MOHAMED IBRAHIM KALIFULLA

AMICUS CURIAE

Mr. Harish N. Salve, Sr. Adv. (NP)  
Mr. Uday Umesh Lalit, Sr. Adv. (NP)  
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Mr. Siddharth Chowdhury, Adv.  
Mr. M.K. Jivarajika, Member Secretary  
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For Petitioner (S)  
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Mr. Pranav Sachdeva, Adv.  
Mr. Govind Jee, Adv.

In WP 99 Mr. Amit Sharma, Adv.  
Mr. Kunal A. Cheema, Adv.

In WP 184 Mr. Rohit M. Alex, Adv.  
Mr. P.S. Sudheer, Adv.  
Mr. Rishi Maheshwari, Adv.  
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In Rest of the TPs Mr. K.K. Venugopal, Sr. Adv.  
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Mr. Pratap Venugopal, Adv.  
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Mr. Gaurav Nair, Adv.  
For M/s. K.J. John & Co., Adv.

In TP 1441 Mr. Rafique A. Dada, Sr. Adv.  
Mr. Yashraj Singh Deora, Adv.

In TP 574 Mr. Rafique A. Dada, Sr. Adv.  
Sociedade Timblo Mr. Yashraj Singh Deora, Adv.  
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Mr. Linette Rodrigues, Adv.  
Ms. Maria Fatima Noronho, Adv.  
For M/s. K.J. John & Co., Adv.

In TP 1186 Mr. Ranjit Kumar, Sr. Adv.  
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Mr. Arvind Gupta, Adv.  
Mr. Piyush Sharma, Adv.  
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Mr. Santosh S. Anurlekar, Adv.  
Mr. Sanmit Bodke, Adv.  
Mr. Harish Pandey, Adv.

In WP 460 Mr. Raj Panjwani, Sr. Adv.  
Ms. Purnima Bhat, Adv.  
Mr. Ritwik Dutta, Adv.

For Applicant (s)  
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Ms. Norma Alvares, Adv.  
Mr. Pranav Sachdeva, Adv.

In IA 2 & 3  
Goa Mining Labour Mr. Colin Gonsalves, Sr. Adv.  
Welfare Union Ms. Jubli Momalia, Adv.  
Ms. Jyoti Mendiratta, Adv.

In IA 5 & 6 Mr. Amit Sharma, Adv.  
M/s HL Nathurmali Mr. Kunal A. Cheema, Adv.

In IA 7 & 8  
Goa Mining Assn. Mr. K.K. Venugopal, Sr. Adv.  
Mr. Chander Uday Singh, Sr. Adv.  
Mr. Pratap Venugopal, Adv.  
Ms. Surekha Raman, Adv.  
Mr. Varun Singh, Adv.  
Ms. Meenakshi Chauhan, Adv.  
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Mr. Gaurav Nair, Adv.  
For M/s. KJ John & Co., Adv.

In IA 10 & 72 Mr. Mukul Rohtagi, Sr. Adv.  
Sesa Goa Ltd. Mr. Ninad Laud, Adv.  
Ms. Meenakshi Chatterjee, Adv.  
Mr. Jayant Mohan, Adv.

In IA 11, 12 & 60 Ms. Kiran Suri, Sr. Adv.  
Cose Costa & Sons Mr. S.J. Amith, Adv.  
Mr. Nakibur Rahman Barbhuiya, Adv.

Ms. Ritika Gambhir, Adv.  
Dr. (Ms.) Vipin Gupta, Adv.  
Mr. Ganesh Naik, Adv.  
Ms. Maria Carmita D Costa Mashelkar, Adv.

In IA 13, 14 & 59  
Sociedade Timblo  
Irmaos Limitada

Mr. Rafique A. Dada, Sr. Adv.  
Mr. Yashraj Singh Deora, Adv.  
Ms. Anupama Dhurve, Adv.  
Mr. Abhishek Puri, Adv.  
Mr. Parag Rao, Adv.  
Ms. Swati Kamat, Adv.  
Mr. Linette Rodrigues, Adv.  
Ms. Maria Fatima Noronho, Adv.  
For M/s. K.J. John & Co., Advs.

In IA 15 & 16 Ms. Triveni Poteker, Adv.  
Garge Barge Owners' Assn.

Mr. Rajan Singh, Adv. Mr. Rajan Singh, Adv.  
Mr. Chandra Shekhar Ashri, Adv.  
Mr. Piyush, Adv.

In IA 17 & 18 Mr. K.K. Venugopal, Sr. Adv.  
Aleixo Manual C.P. Costa

Mr. Chander Uday Singh, Sr. Adv.  
Mr. Pratap Venugopal, Adv.  
Ms. Surekha Raman, Adv.  
Mr. Varun Singh, Adv.  
Ms. Meenakshi Chauhan, Adv.  
Mr. Anuj Sarma, Adv.  
Mr. Gaurav Nair, Adv.

In IA 19, 20 & 21 Mr. Shikhil Suri, Adv.  
Salvia Oliver Rodrigues

Mr. Shiv Kumar Suri, Adv.  
Mr. Chandrika Prasad Mishra, Adv.

In IA 22 & 77 Mr. Shikhil Suri, Adv.  
Sudip N. Tamankar

Mr. Shiv Kumar Suri, Adv.  
Mr. Chandrika Prasad Mishra, Adv.  
For Mr. P.V. Yogeswaran, Adv.

In Ias 23-33  
Ramcanta Visnum,  
Sociedade Sir Maha  
Laxmi, Shaikh Abdul  
Kuddus Com. Mineraria  
Pro. Ltda. Bhanudas,  
Emco, Shashikala,  
Atchuta Visnum,  
Rajaram Bandekar  
Mines, Smt. Shakuntala  
bai & Orient Goa

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Mr. Pratap Venugopal, Adv.  
Ms. Surekha Raman, Adv.  
Mr. Varun Singh, Adv.  
Ms. Meenakshi Chauhan, Adv.  
Mr. Anuj Sarma, Adv.  
Mr. Gaurav Nair, Adv.

In IA 38  
Dr. Prafulla R.  
Hede Mines

Mr. M.N. Krishnamani, Sr. Adv.  
Mr. Bhavani Shankar Gadnis, Adv.  
Mr. A. Venayagam Balan, Adv.

In IAs 39-40  
Motiram Data  
Goundalkar  
Ghanshyam  
Sardesai

Mr. K.K. Venugopal, Sr. Adv.  
Mr. Chander Uday Singh, Sr. Adv.  
Mr. Pratap Venugopal, Adv.  
Ms. Surekha Raman, Adv.  
Mr. Varun Singh, Adv.  
Ms. Meenakshi Chauhan, Adv.  
Mr. Anuj Sarma, Adv.  
Mr. Gaurav Nair, Adv.  
For M/s. K.J. John & Co., Advs.

In IA 41, 71 & 72

M/s. Bandekar Bros Pvt. Ltd. Mr. C.A. Sundaram, Sr. Adv.  
Mr. Parijat Sinha, Adv.  
Ms. Reshmi Rea sinha, Adv.  
Mr. Anil Kumar Mishra, Adv.  
Mr. S.C. Ghosh, Adv.

In IA 42  
M/s Madachem Bat Mines Pvt. Ltd. Mr. C.A. Sundaram, Sr. Adv.  
Mr. Parijat Sinha, Adv.  
Ms. Reshmi rea Sinha, Adv.  
Mr. Anil Kumar Mishra, Adv.  
Mr. S.C. Ghosh, Adv.

In IA 43 & 44  
Village Panchayat of Kirlapal-Dabal Mr. Ravi shankar Prasad, Sr. Adv.  
Mr. Saket Sikri, Adv.  
Mr. Prannoy dey, Adv.  
Mr. Stephanie Sohanane, Adv.  
Ms. Madhu Sikri, Adv.

In IA 45  
M/s Baddruddin Hussainbhai Mavani Mr. Chander Uday Singh, Sr. Adv.  
Mr. Pratap Venugopal, Adv.  
Ms. Surekha Raman, Adv.  
Mr. Varun singh, Adv.  
Ms. Meenakshi Chauhan, Adv.  
Mr. Anuj Sarma, Adv.  
Mr. Gaurav Nair, Adv.  
For M/s. KJ John & Co., Advs.

In IA 46  
Kamalini Ramakant Painguinkar & Ors. Mr. K.K. Venugopal, Sr. Adv.  
Mr. Chander Uday Singh, Sr. Adv.  
Mr. Pratap Venugopal, Adv.  
Ms. Surekha Raman, Adv.  
Mr. Varun singh, Adv.  
Ms. Meenakshi Chauhan, Adv.  
Mr. Anuj Sarma, Adv.  
Mr. Gaurav Nair, Adv.  
For M/s. KJ John & Co., Advs.

In IA 47  
Pandurang Timblo Inds. & Anr. Mr. Ranjit Kumar, Sr. Adv.  
Mr. Nitin Sardesai, Adv.  
Mr. Santosh Paul, Adv.  
Mr. Arvind Gupta, Adv.  
Mr. Piyush Sharma, Adv.  
Ms. Savita Singh, Adv.  
Mr. Santosh S. Anurlekar, Adv.  
Mr. Sanmit Bodke, Adv.  
Mr. Harish Pandey, Adv.

In IA 48 & 49  
Rajesh P. Timblo Mr. Rohit M. Alex, Adv.  
Mr. P.S. Sudheer, Adv.  
Mr. Rishi Maheshwari, Adv.  
Mr. Anshul Gupta, Adv.

In IA 50  
M/s Sarda Energy & Minerals Ltd. Mr. Braj Kishore Mishra, Adv.  
Mr. Shivam Sharma, Adv.  
Mr. Vikram Patralekh, Adv.  
Mr. Mohan Pandey, Adv.

In IA 51  
M/s Noor Mohd. Abdul Karim & Anr. Mr. K.K. Venugopal, Sr. Adv.  
Mr. Chander Uday Singh, Sr. Adv.  
Mr. Pratap Venugopal, Adv.  
Ms. Surekha Raman, Adv.

Mr. Varun Singh, Adv.  
Ms. Meenakshi Chauhan, Adv.  
Mr. Anuj Sarma, Adv.  
Mr. Gaurav Nair, Adv.  
For M/s. K.J. John & Co., Advs.

In IA 52  
Ramesh Sajo  
Gauns & Ors. Mr. Shikhil Suri, Adv.  
Mr. Shiv Kumar Suri, Adv.  
Mr. Chandrika Prasad Mishra, Adv.

In IA 53  
Girish M.  
Tendulkar & Ors. Mr. Sriram Parakkat, Adv.  
Mr. Ishaan George, Adv.  
Mr. Vishnu Shankar Jain, Adv.  
Mr. Girish Tendulkar, Adv.  
Ms. Sudha Gupta, Adv.

In IA 54  
Gomantak Inv. Pvt. Ltd. Ms. Ninad Laud, Adv.  
Ms. Aparna Singhal, Adv.  
Mr. Mahesh Agarwal, Adv.  
Mr. Rishi Agrawala, Adv.  
Mr. E.C. Agrawala, Adv.

In IA 55 & 56  
Damodar Mangalji  
& Co. Ltd. Mr. Ninad Laud, Adv.  
Ms. Aparna Singhal, Adv.  
Mr. Mahesh Agarwal, Adv.  
Mr. Rishi Agrawala, Adv.  
Mr. E.C. Agrawala, Adv.

In IA 57  
Geetabala Manohar  
Naik Parulekar Mr. Dhruv Mehta, Sr. Adv.  
Mr. Yash Raj Deora, Adv.  
Mr. Anupam Dhurve, Adv.  
Ms. Jayashree Wad, Adv.  
Mr. Ashish wad, Adv.  
Ms. Tamali Wad, Adv.  
Ms. Kanika Baweja, Adv.  
Ms. Niharika Bapna, Adv.  
Ms. Maria Fatima Noronha, Adv.  
For M/s J.S. Wad & Co., Advs.

In IA 58  
Ana Berta Do  
Rego E. Fernandes Mr. K.K. Venugopal, Sr. Adv.  
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Mr. Pratap Venugopal, Adv.  
Ms. Surekha Raman, Adv.  
Mr. Varun Singh, Adv.  
Ms. Meenakshi Chauhan, Adv.  
Mr. Anuj Sarma, Adv.  
Mr. Gaurav Nair, Adv.  
For M/s K.J. John & Co., Advs.

In IA 61 & 62  
G.N. Agrawal Mr. Dhruv Mehta, Adv.  
Mr. Sameer Athyankar, Adv.  
Ms. Swati Kamat, Adv.  
Mr. P. Jha, Adv.  
Mr. Yashraj Singh Deora, Adv.  
Ms. Maria Fatima Noronha, Adv.  
Mr. Abhishek Puri, Adv.  
Mr. Anupam Dhurve, Adv.  
Mr. M.P. Jha, Adv.

In IA 63, 64 & 65  
Chowgule & Co. Pvt. Ltd. Mr. C.A. Sundaram, Sr. Adv.  
Mr. Sumit Goel, Adv.  
Ms. Sarab Jot Walia, Adv.  
For M/s Parekh & Co., Advs.

In IA 66 & 67 Mr. Rafique A. Dada, Sr. Adv.  
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Pvt. Ltd. Mr. Rajesh Kumar, Adv.  
Ms. Anupama Dhurve, Adv.  
Mr. Abhishek Puri, Adv.  
Mr. Mohit Abraham, Adv.

In IA 68  
Goa Mining  
Foundation  
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Mr. Chander Uday Singh, Sr. Adv.  
Mr. Pratap Venugopal, Adv.  
Ms. Surekha Raman, Adv.  
Mr. Varun Singh, Adv.  
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Mr. Anuj Sarma, Adv.  
Mr. Gaurav Nair, Adv.  
For M/s. K.J. John & Co., Advs.

In IA 69 & 70  
Timblo Enterprises Mr. K.K. Venugopal, Sr. Adv.  
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Mr. Pratap Venugopal, Adv.  
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Mr. Varun Singh, Adv.  
Ms. Meenakshi Chauhan, Adv.  
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For M/s. K.J. John & Co., Advs.

In IA 74  
Crisna Mucunda  
Camotim Mr. K.K. Venugopal, Sr. Adv.  
Mr. Chander Uday Singh, Sr. Adv.  
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Ms. Surekha Raman, Adv.  
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Ms. Meenakshi Chauhan, Adv.  
Mr. Anuj Sarma, Adv.  
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For M/s. K.J. John & Co., Advs.

In IA 75  
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Ms. Meenakshi Chauhan, Adv.  
Mr. Anuj Sarma, Adv.  
Mr. Gaurav Nair, Adv.  
For M/s K.J. John & Co., Advs.

In IA 78  
Shantilal Kushaldas Ms. Kiran Suri, Sr. Adv.  
& Bros P. Ltd. Dr. (Ms.) Vipin Gupta, Adv.  
Mr. S.J. Amith, Adv.  
Ms. Ritika Gambhir, Adv.  
Mr. Nakibur Rahman Barbhuiya, Adv.  
Mr. Ganesh Naik, Adv.  
Ms. Maria Carmita D Costa Mashelkar, Adv.

In IA 79

In IA 81 & 82 Ms. Kiran Suri, Sr. Adv.  
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Ms. Ritika Gambhir, Adv.  
Dr. (Ms.) Vipin Gupta, Adv.  
Mr. Ganesh Naik, Adv.  
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In IA 83

In IA 2580 & 2669 Mr. C.A. Sundaram, Sr. Adv.  
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RR 6-Goa Min. Lab. Mr. Colin Gonsalves, Sr. Adv.  
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Ms. Meenakshi Chauhan, Adv.  
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For RR 10- M/s Sesa Goa Ltd. Mr. Mr. Mukul Rohtagi, Sr. Adv.  
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Ms. Meenakshi Chatterjee, Adv.  
Mr. Jayant Mohan, Adv.

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For RR 12- Socie. Tim.Irmaos Lim. Ms. Anupama Dhurve, Adv.  
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For Rr No. 13 Goa Barge Owners Assn. Ms. Triveni Potekar, Adv.  
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For RR 14 For M/s Mitter & Mitter Co., Advs.

For RR 15-27 Mr. K.K. Venugopal, Sr. Adv.  
Mr. Chander Uday Singh, Sr. Adv.  
Mr. Pratap Venugopal, Adv.  
Ms. Surekha Raman, Adv.  
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Ms. Meenakshi Chauhan, Adv.  
Mr. Anuj Sarma, Adv.  
Mr. Gaurav Nair, Adv.  
For M/s. KJ John & Co., Advs.

For RR 28 -M/s. Bandekar Bros Pvt. Ltd. Mr. C.A. Sundaram, Sr. Adv.  
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Ms. Reshmi Rea sinha, Adv.  
Mr. Anil Kumar Mishra, Adv.  
Mr. S.C. Ghosh, Adv.

For RR 30 - Dr. Prafulla Hede Mines Mr. M. N. Krishnamani, Sr. Adv.  
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Ms. Surekha Raman, Adv.  
Mr. Varun Singh, Adv.  
Ms. Meenakshi Chauhan, Adv.  
Mr. Anuj Sarma, Adv.  
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For M/s. KJ John & Co., Advs.

Mr. S.M. Walawaikar, Adv.  
Mr. Rameshwar Prasad Goyal, Adv.

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IA 1000 Mr. Milind Kumar, Adv.  
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Mr. Ejaz Maqbool, Adv.  
Mr. P.V. Yogeswaran, Adv.  
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For M/s. Parekh & Co., Advs.

For State of Rajasthan  
Dr. Manish Singhvi, AAG.  
Mr. Amit Lubhaya, Adv.  
Mr. Milind Kumar, Adv.  
Mr. D.K. Garg, Adv.  
Mr. Gaurav Agrawal, Adv.  
Ms. Purnima Bhat Kak, Adv.  
Mr. K. Parmeshwar, Adv.  
Mr. K.L. Janjani, Adv.  
Mr. Y. Rajagopal Rao, Adv.  
Mr. Tarun Johri, Adv.

For State of Maharashtra  
Mr. D.K. Garg, Adv.  
Ms. Asha G. Nair, Adv.  
Mr. Ejaz Maqbool, Adv.  
Mr. P.V. Yogeshwaran, Adv.  
Ms. Sumita hazarika, Adv.  
Ms. Hemantika Wahi, Adv.  
Ms. Suchitra A. Chitale, Adv.

For State of M.P.  
Mr. Mishra Saurabh, Adv.  
Mr. Sanjay R. Hegde, Adv.  
Mr. Harris Beeran, Adv.  
Mr. P.K. Manohar, Adv.  
Mr. K. Parmeshwar, Adv.  
Ms. Purnima Bhat Kak, Adv.  
Mr. K.L. Janjani, Adv.  
Mr. Y. Rajgopal Rao, Adv.  
Mr. M.V. Sridhar Potaraju, Adv.

For State of Arunachal  
Pradesh Mr. Anil Shrivastava, Adv.  
Mr. Rituraj Biswas, Adv.

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

Mr. C.U. Singh, learned senior counsel resumed his arguments at 10:45 a.m. and concluded at 11:40a.m.. Thereafter Mr. Mohan Parasaran, learned Solicitor General addressed the Court and concluded at 12:30p.m. Thereafter, Mr. Prashant Bhushan, learned counsel for the petitioner made his submissions in rejoinder and was on his legs when the Court rose for the day leaving the matters part-heard.

[KALYANI GUPTA]  
COURT MASTER

[G. SUDHAKARA RAO]  
COURT MASTER

[SHARDA KAPOOR]  
COURT MASTER