

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

SPECIAL LEAVE PETITION (C) NOS. 10119-10121 OF 2016

KARNATAKA BEEDI INDUSTRY ASSOCIATION AND ANR

Petitioner(s)

VERSUS

UNION OF INDIA AND ANR

Respondent(s)

WITH

SLP(C) No. 11140/2016

AND

SLP(C) No. 11163/2016

AND

W.P. (C) No. 549/2008

AND

W.P. (C) No. 161/2009

O R D E R

Heard learned counsel appearing for the parties.

Mr. Arvind P. Datar, learned senior counsel submits that the subject-matter of challenge in writ proceedings in which the impugned order has been passed pertains to the constitutional validity of the Cigarettes and Other Tobacco Products (Packaging and Labelling) Amendment Rules, 2014 (hereinafter referred to as the Rules) framed by the Government of India and the same is pending before the Karnataka High Court.

Mr. Ranjit Kumar, learned Solicitor General has handed over a list of cases on the issue pending before various High Courts. It is seen from the list that most of the matters are pending before the Karnataka High Court and few of them are pending in Bombay,

Gujarat and Delhi High Courts.

It has been contended before us by learned counsel appearing for the parties that all the matters which are pending before different High Courts be transferred to a particular High Court so that the matters can be heard and disposed of at a time.

In view of that, it is considered appropriate, at this stage, to transfer all the matters pending before the different High Courts to the Karnataka High Court.

We, therefore, transfer all matters pending before various High Courts, as referred to hereinabove, on the issue to the Karnataka High Court. We request the Hon'ble Chief Justice of the Karnataka High Court to constitute a Bench, which would dispose of the same within a period of six weeks from date. We further make it clear that the matters should be disposed of by the Principal Bench of the Karnataka High Court.

We have also been informed that the cases transferred include Public Interest Litigation petitions pending for implementation of the said Rules. In view of that, we would also request the Chief Justice of the Karnataka High Court to decide whether the cases transferred hereby would be taken up by a Division Bench or a Single Bench in accordance with the Rules of the said High Court.

Stay, if any, already granted by any High Court shall not be given effect to till the cases are finally disposed of.

We make it clear that any other order passed by any High Court including the order passed by this Court dated 06.05.2009 on the Interlocutory Applications filed in Writ Petition (C) No. 549/2008

with regard to the stay shall not stand in the way of the Karnataka High Court to decide the matter on merits.

The Secretary General of this Court is directed to send a copy of this order to the Registrar Generals of the concerned High Courts where similar matters are pending with a request to take necessary steps for sending the relevant records/documents to the Karnataka High Court within a period of two weeks from the date of receipt of copy of this order.

The Special Leave Petitions and the Writ Petitions stand disposed on the aforestated terms.

..... J.
(PINAKI CHANDRA GHOSE)

..... J.
(AMITAVA ROY)

New Delhi;
May 04, 2016.

ITEM NO.1

COURT NO.10

SECTION IVA

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).
10119-10121/2016

(Arising out of impugned final judgment and order dated
11/03/2016 in WA No. 498/2016, WA No. 497/2016 and WA No. 499/2016
passed by the High Court Of Karnataka At Bangalore)

KARNATAKA BEEDI INDUSTRY ASSOCIATION AND ANR

Petitioner(s)

VERSUS

UNION OF INDIA AND ANR

Respondent(s)

(With appln. (s) for impleadment as party respondent and
intervention and interim relief and office report)

WITH

SLP(C) No. 11140/2016

(With appln.(s) for exemption from filing c/c of the impugned
judgment and Interim Relief)

SLP(C) No. 11163/2016

(With appln.(s) for exemption from filing c/c of the impugned
judgment and Interim Relief)

W.P.(C) No. 134/2016

W.P.(C) No. 549/2008

(With appln.(s) for directions and permission to file amended writ
petition and stay and Office Report)

W.P.(C) No. 161/2009

(With Office Report)

Date : 04/05/2016 These petitions were called on for hearing
today.

CORAM :

HON'BLE MR. JUSTICE PINAKI CHANDRA GHOSE
HON'BLE MR. JUSTICE AMITAVA ROY

Counsel for parties

Mr. K.R. Raghavan, Sr. Adv.
Ms. Nalina Maye Gowda, Adv.

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Mr. Ishan Gaur, Adv.
Mr. Saurabh Rath, Adv.
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Mr. Ajay Sharma, Adv.
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Ms. Kamini Jaiswal, Adv.
Ms. Shirin Khajuria, AOR
Mr. Pranav Sachdeva, AOR

Mr. Anand Grover, Sr. Adv.
Mr. Varun K. Chopra, Adv.
Mr. Harsh Parashar, Adv.

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

The Special Leave Petitions and the Writ Petitions stand
disposed of in terms of the signed order.

Pending applications stand disposed of.

Writ Petition No. 134/2016:

De-tag this matter.

(R.NATARAJAN)
Court Master

(SNEH LATA SHARMA)
Court Master

(Signed order is placed on the file)