

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  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No.(s).19092/2006  
(From the judgment and order dated 06.07.2006 in CMWP No.3928 of  
2006 of The HIGH COURT OF MADHYA PRADESH AT JABALPUR )

KRISHI UPAJ MANDI SAMITI, NARSINGHPUR

Petitioner(s)

VERSUS

M/S. SHIV SHAKTI KHANSARI UDYOG &amp; ORS.

Respondent(s)

(With prayer for interim relief and office report)  
(For Final Disposal) [FOR FURTHER ARGUMENTS]

WITH  
SLP(C) NO. 3414 of 2007  
(With office report)  
SLP(C) NO. 3308 of 2007  
(With office report)  
SLP(C) NO. 3792 of 2007  
(With office report)  
SLP(C) NO. 4606 of 2007  
(With appln.(s) for exemption from filing O.T. and office report)  
SLP(C) NO. 4607 of 2007  
(With office report)  
SLP(C) NO. 4777 of 2007  
(With office report)  
SLP(C) NO. 5625 of 2007  
(With office report)  
SLP(C) NO. 15296 of 2007  
SLP(C) NO. 15229 of 2007  
(With prayer for interim relief)  
SLP(C) NO. 15315 of 2007  
(With prayer for interim relief)  
SLP(C) NO. 15230 of 2007  
(With prayer for interim relief)  
SLP(C) NO. 15297 of 2007  
SLP(C) NO. 15318 of 2007  
(With office report)  
SLP(C) NO. 6961 of 2009  
(With office report)

Date: 04/08/2011 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI  
HON'BLE MR. JUSTICE H.L. DATTU

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For Petitioner(s)      Mr. Vivek K. Tankha, Sr.Adv.  
                                 Mr. Prashant Kumar, Adv.  
                                 Mr. Anurag Sharma, Adv.  
For      M/S. Ap & J Chambers,A.O.R.

For State of M.P.      Mr. B.S. Banthia, Adv.

For Respondent(s)      Mr. A.K. Sanghi Sr.Adv.  
                                 Mr. Saket Singh, Adv.

Mr. Jayant Bhushan, Sr.Adv.  
Mr. Ankur Saigal, Adv.

Ms. Bina Gupta, Adv.

Ms. Pragati Neekhra ,Adv  
Mr. Suryanaryana Singh, Adv.

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

During the course of further hearing, Shri Vivek Tankha, learned Additional Solicitor General referred to the judgments of the Bombay High Court and of this Court in "Basantlal Banarsilal versus Bansilal Dagdulal" AIR 1955 Bombay 35, Messrs. Basant Lal Banarsi Lal versus Bansi Lal Dagdulal" (1961) 2 SCR 780 and "Gram Panchayat of village Jamalpur versus Malwinder Singh and others" (1985) 3 SCC 661.

After going through the last mentioned judgment, we inquired from Shri B.S. Banthia, learned counsel for the State of Madhya Pradesh as to in what context the Madhya Pradesh Krishi Upaj Mandi Adhiniyam, 1972 was reserved for the Presidential assent.

Shri Banthia says that the record is not available with him and he may be given some time to produce the same.

Shri A.K. Sanghi, learned senior counsel and other learned counsel appearing for the respondents except Ms. Pragati Neekhra made a request that their respective clients may be permitted to file short affidavits indicating therein whether or not the Cane

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Commissioner had issued orders in respect of assigned areas and reserved areas.

Shri Banthia is allowed three weeks' time to produce the record. Learned counsel for the respondents may file affidavits within that period. Further affidavit on behalf of Krishi Upaj Mandi Samiti and the State of Madhya Pradesh may be filed within next one week.

List the cases on September 7, 2011.

(A.D. Sharma)  
Court Master

(Phoolan Wati Arora)  
Court Master