

ITEM NO.301

COURT NO.10

SECTION IV

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS
CIVIL APPEAL NO(s). 2083-2097 OF 2011

STATE OF M.P.

Appellant (s)

VERSUS

NARMADA BACHAO ANDOLAN & ANR.

Respondent(s)

(With appln(s) for permission to file rejoinder affidavit and exemption from filing O.T. and permission to place addl. documents on record and directions and permission to file additional documents)

IA NOS. 196-210

(Applns. u/s 340 CrPC read with Order 47, Rule VI of SCR, 1966)

IA NOS. 211-225 and 241-255

(Applns. For exemption from filing OT) and

IA NOS. 226-240

(Applns. For modification of order dated 5.4.20110)

AND

C.A.NO.2098-2112/2011

(With appln(s) for permission to place addl. documents on record and with prayer for interim relief and office report)

Date: 19/04/2011 These Appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J.M. PANCHAL

HON'BLE MR. JUSTICE DEEPAK VERMA

HON'BLE DR. JUSTICE B.S. CHAUHAN

For Appellant(s)

Mr. P.S. Patwalia, Sr Adv.
Mr. Sunny Choudhary, Adv.
Mr. Aman Preet Singh Rahi, Adv.
Mr. C.D. Singh, Adv.

Mr. Ravi Shankar Prasad, Sr Adv.
Ms. Suparna Srivastava, Adv.
Mr. Ram Swarup Sharma, Adv.

For Respondent(s)

Dr. Rajeev Dhawan, Sr Adv.
Mr. Rajinder Sacchar, Sr Adv.
Mr. Sanjay Parikh, Adv.

2

Mr. Prashant Bhushan, Adv.
Mr. TVS Raghavendra Sreyas, Adv.
Mr. Swapnil Verma, Adv.
Mr. Nikhil Nayyar, Adv.

UPON hearing counsel the Court made the following

O R D E R

This Court has considered the Report dated

22.03.2011 submitted by the Committee constituted
by Central Water Commission as well as the comments
offered by the respondent No. 1 thereon. This
Court has also heard the learned counsel for the
parties regarding suggestions/objections mentioned
in the comments offered by the parties to the
Report submitted by the Committee.

After the arguments were over, the Court had
wanted to know from the learned Counsel for the
parties as to whether any of the parties would
object if the Court summoned one of the Members of
the Committee to assist the Court and to explain
certain aspects of the Report as well as the facts
mentioned in the comments offered by the parties
because this is purely a technical matter.
Thereupon the learned counsel for the parties had
stated at the Bar that this was the privilege of
the Court and the parties had no objection if such
a course was resorted to by the Court. This being

3

a technical matter, the Court is of the opinion
that the Court should have assistance of one of the
Members of the Committee to explain certain aspects
mentioned in the Report as well as raised in the
comments offered by the parties. Therefor, Mr.
U.K. Ghosh, Chief Engineer (N.B.P.), CWC, New Delhi
and Chairman of the Committee is requested to
attend the Court on 27.04.2011 at 3.00 p.m. in the
Chambers. The Registry is directed to supply
necessary copies of the comments filed by both the
parties, to Mr. U.K. Ghosh. The necessary
intimation with copies of the comments filed by the
parties be served upon Mr. U.K. Ghosh by special
messenger, at the earliest.

(Sonia)
Sr P.A.

(Sneh Bala Mehra)
Court Master