

ITEM NO.301+303

COURT NO.2

SECTION III-A

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

Civil Appeal Nos.10866-10867 of 2010

M. SIDDIQ (D) THR. LRS.

Appellant(s)

VERSUS

MAHANT SURESH DAS AND ORS. ETC.

Respondent(s)

WITH C.A. Nos.4768-4771/2011 (III-A)

C.A. No.2636/2011 (III-A)

C.A. No.821/2011 (III-A)

C.A. No.4739/2011 (III-A)

C.A. Nos.4905-4908/2011 (III-A)

C.A. No.2215/2011 (III-A)

C.A. No.4740/2011 (III-A)

C.A. No.2894/2011 (III-A)

C.A. No.6965/2011 (III-A)

C.A. No.4192/2011 (III-A)

C.A. No.5498/2011 (III-A)

C.A. No.8096/2011 (III-A)

C.A. No.7226/2011 (III-A)

Date : 11-08-2017 These appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DIPAK MISRA

HON'BLE MR. JUSTICE ASHOK BHUSHAN

HON'BLE MR. JUSTICE S. ABDUL NAZEER

For Petitioner(s) Mr. Huzefa Ahmadi, Sr. Adv.
Mohd. Irshad Hanif, AOR
Mr. Muzahid Ahmad, Adv.
Mr. Aarif Ali Khan, Adv.
Mr. Adeel Siddiqui, Adv.

CA 4768-71/11 Mr. Shyam Divan, Sr. Adv.
Mr. Vikramjeet Banerjee, Sr. Adv.
Mr. Nachiketa Joshi, Adv.
Ms. Swaruparna, Adv.
Mr. Anish Gupta, Adv.
Mr. Rakesh Sinha, Adv.
Mr. Udayaditya Banerjee, Adv.
Mr. Ritwiz Rishabh, Adv.
Mr. Abhishek Vasisht, Adv.
Mr. P.V. Yogeswaran, AOR

CA 2636/11 Mr. R.C. Gubrele, AOR

CA 821/11 Mr. Shakil Ahmed Syed, AOR

CA 4739/11 Mr. Hari Shankar Jain, Adv.
Mr. Vishnu Shankar Jain, AOR
Indakerri M. Mairom, Adv.

CA 4905-08/11 Mr. Sushil Kumar Jain, AOR

CA 2215/11 Mr. Ejaz Maqbool, AOR

CA 4740/11 Mr. Vikramjit Banerjee, Sr. Adv.
Mr. Bhupender Yadav, Adv.
Mr. S.S. Shamsbery, Adv.
Mr. D. Bharat Kumar, Adv.
Ms. Babita Yadav, Adv.
Mr. Bhakti Vardhan Singh, Adv.
Ms. Swarupama Chaturvedi, Adv.
Mr. Pranav Kumar Mohapatra, Adv.
Mr. Amit Sharma, Adv.
Ms. Ruchi Kohli, AOR

CA 2894/11 &
CA 7266/11 Mr. Kapil Sibal, Sr. Adv.
Dr. Rajeev Dhavan, Sr. Adv.
Mr. Zafaryab Jilani, Adv.
Mr. M. R. Shamshad, AOR
Mr. Nizam Pasha, Adv.
Mr. Zaki Ahmad Khan, Adv.
Mr. Aditya Samaddar, Adv.

CA 6965/11 Mr. Vivek K. Tankha, Sr. Adv.
Mr. P.N. Mishra, Sr. Adv.
Ms. Ranjana Agnihotri, Adv.
Ms. Sangeeta Mandal, Adv.
Ms. Mamta Tiwari, Adv.
Ms. Swati Sinha, Adv.
for M/s Fox Mandal & Co.

CA 4192/11 &
CA 8096/11 Mr. Anoop George Choudhary, Sr. Adv.
Mr. Syed Shahid Hussain Rizvi, AOR

CA 5498/11 Mr. Irshad Ahmad, AOR

For Respondent(s)

Mr. R. C. Gubrele, AOR

Mr. Mukesh Verma, Adv.
Mr. Pawan Kumar Shukla, Adv.
Mr. Jaswant Singh, Adv.
Mr. Yash Pal Dhingra, AOR

Mr. Syed Shahid Hussain Rizvi, AOR

Mr. Shakil Ahmed Syed, AOR

Mr. S.K. Jain, Sr. Adv.

Mr. R.L. Verma, Adv.

Mr. Puneet Jain, Adv.

Mr. Paramjeet Verma, Adv.

Mr. Abhinav Gupta, Adv.

Ms. Christi Jain, Adv.

Ms. Priyal Jain, Adv.

Mr. S.N. Sharma, Adv.

Ms. Pratibha Jain, AOR

Mr. C.S. Vaidyanathan, Sr. Adv.

Mr. Shyam Divan, Sr. Adv.

Mr. Vikramjit Banerjee, Sr. Adv.

Mr. Bhupender Yadav, Adv.

Mr. S.S. Shamsbery, Adv.

Mr. D. Bharat Kumar, Adv.

Mr. Bhakti Vardhan Singh, Adv.

Ms. Swarupama Chaturvedi, Adv.

Mr. P. V. Yogeswaran, AOR

Mr. A.K. Upadhyay, Adv.

Mr. Bhuwan Jayant, Adv.

Md. Shahid Anwar, AOR

Mr. Vivek K. Tankha, Sr. Adv.

Mr. P.N. Mishra, Sr. Adv.

Ms. Ranjana Agnihotri, Adv.

Ms. Sangeeta Mandal, Adv.

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M/s Fox Mandal & Co.

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Mr. Dharmendra Kumar Sinha, AOR

Mr. B. Krishna Prasad, AOR

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Mr. Bhupender Yadav, Adv.

Mr. S.S. Shamsbery, Adv.

Mr. D. Bharat Kumar, Adv.

Mr. Bhakti Vardhan Singh, Adv.

Mr. Anish Kumar Gupta, AOR

Mr. Atulesh Kumar, Adv.

Mr. Nachiketa Joshi, Adv.
Mr. Avdhesh Kumar Singh, Adv.
Mr. Chandra Shekhar Suman, Adv.
Mr. R.K. Rajwanshi, Adv.
Mrs. Rita Gupta, Adv.
Mr. Sanjay Kumar Visen, Adv.
Mr. Rajendra Kumar Singh, Adv.
Ms. Priyanka Parida, Adv.
Ms. Deepshikha Bharati, Adv.

Mr. Amit Pawan, AOR

Mr. M. C. Dhingra, AOR
Mr. Piyush Kant Roy, Adv.
Mr. Gaurav Dhingra, Adv.
Ms. Arna Das, Adv.

Mr. Ajit Singh Pundir, AOR
Mr. Arijeet Singh, Adv.
Mr. Bhupendra Kr. Bharadwaj, Adv.

Mr. Fuzail Ahmad Ayyubi, AOR

Mr. B.K. Satija, AOR

Mohd. Irshad Hanif, AOR

Mr. Tushar Mehta, Sr. Adv.
Mr. Raghwendra Singh, Adv. Gen.
Mr. D.K. Singh, AAG
Mr. Vinay Garg, Adv.
Mr. Aviral Saxena, Adv.
Ms. Komal Mudhra, Adv.
Mr. Saurabh, Adv.
Mr. Ravi Prakash Mehrotra, AOR
Mr. Sanjay Kumar Tyagi, Adv.

Mr. Syed Mehdi Imam, Adv.
Shamama Anis, Adv.
Mr. Atif Suhrawardy, Adv.
Mr. Tabrez Ahmed, Adv.
Mr. Nauras Suhrawardy, Adv.

Mr. V.N. Sinha, Sr. Adv.
Mr. Jamshed Bey, Adv.
Mr. R.S. Kumar, Adv.
Mr. Purushottam Mulloli, Adv.
Mr. Binay K. Das, Adv.
Mr. Vijayendra Misra, Adv.
Mr. Sanjay K. Lal Das, Adv.
Ms. Priyanka Das, Adv.

Ms. Ranjana Agnihotri, Adv.
Mr. Nitin Singh, Adv.

Mr. Vikas Singh, Sr. Adv.
Mr. S.N. Jha, Sr. Adv.
Mr. Chandra Prakash, Adv.
Mr. L.R. Singh, Adv.

Mr. Palok Basu, Sr. Adv.
Mr. Manoj Swarup, Adv.
Ms. Lalita Kohli, Adv.
Mr. Shiv Ram Pandey, Adv.

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

Learned counsel appearing for the appellants/ plaintiffs and the respondents/defendants have submitted that certain applications for substitution are pending and some respondents have not yet been served. We have been apprised in the course of hearing that certain applications for substitution have been filed and in certain appeals the respondents are the appellants.

In view of the aforesaid, the legal representatives who have already been substituted in place of the original appellants or respondents, copies can be served on their respective counsel and that will be treated as service. As far as the applications for substitution are concerned, they are allowed. The appellants shall take steps to effect service within two weeks hence on the unserved respondents. Dasti, in addition, is permitted.

Apart from that, liberty is granted to carry out the paper publication after getting the draft notice approved from the Registry. The draft notice shall be filed within two weeks hence and the paper publication shall be done in widely circulated local newspapers published in Hindi and English language in the area concerned within four weeks therefrom.

The prayer for deletion of any respondents in any appeal stands allowed.

At this juncture, an issue arose with regard to translation of the exhibited documents. It is submitted by Mr. C.S. Vaidyanathan, learned senior counsel appearing for the appellants in certain appeals that the High Court has produced the translation in the judgment of the exhibited documents. Learned senior counsel for the respondents would submit that all the exhibited documents have not been translated and, in any case, certain extracts have been produced in the judgment and not the entire exhibits. Without getting into the said controversy, we are inclined to direct that the plaintiffs or the defendants in the suits, shall translate their respective exhibits. Mr. Vaidyanathan has submitted that he will be in a position to translate the documents exhibited by the plaintiffs for whom he is appearing within four weeks from today. Mr. Kapil Sibal, Dr. Rajeev Dhawan, Mr. Anoop Chaudhary and Mr. Sushil Kumar

Jain, learned senior counsel submit that they would require four months' time to translate the documents.

Regard being had to the complexity of the matter, we are inclined to grant twelve weeks to all concerned to file the English translation of the exhibited documents. It is hereby made clear that no adjournment shall be granted for the aforesaid purpose and both the parties shall be guided by the time frame fixed by us.

Mr. Tushar Mehta, learned senior counsel and Mr. Raghawendra Singh, learned Advocate General for the State of U.P. shall file the English translation of the entire oral evidence within ten weeks. Needless to say, copies of the translation shall be in bound volumes and shall be handed over to all the learned counsel appearing for the parties.

The applications for the intervention and impleadment shall be dealt with at the appropriate time.

Let these appeals be listed for hearing on 5th December, 2017.

(Chetan Kumar)
Court Master

(H.S. Parasher)
Assistant Registrar