

ORIGINAL SUIT 2 OF 1988
ITEM No.28
and 63

Court No. 1

SECTION IIIA

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

ORIGINAL SUIT 2/1988

STATE OF ASSAM

Petitioner (s)

VERSUS

UNION OF INDIA & ORS.

Respondent (s)

(With Appln(s). for directions amd amendment in plaint)
(With Office Report)

With

ORGNL.SUIT.No.1/1989

(With appl(s) for directions and office report)

With
CA Nos. 4020/99 and 4021/99 (With appl(s) for stay and office report)

Date : 16/12/2002 These Petitions were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE K.G. BALAKRISHNAN

For Plaintiff (s)/ Mr. K.K. Venugopal, Sr. Adv.
Appellant (s) Ms. Krishna Sarma, Adv.
M. Barthakur, Adv.
Mr. V K Sidatharan, Adv.
M/s. Corporate Law Group

State of Arunachal P. Mr. Anil Shrivastav, Adv.
for Appellant -CA4021 Mr. Suman Jyoti Khaitan, Adv.

For Defendant (s) Mr. Mukul Rohtagi, ASG
Mr. S Wasim A Qadri, Adv.
Ms. Sushma Suri, Adv.
Mr. Sanjay R. Hegde, Adv.
Mr. Satya Mitra, Adv.
Mr. P. Parmeswaran, Adv.

State of Nagaland Mr. Dipankar Gupta, Sr. Adv.
Mr. Kailash Vasdev, Sr. Adv.
Mr. S.K. Shandila, Adv.
Mr. V.D. Khanna, Adv.

Election Commission Mr. S. Muralidhar, Adv.
Mr. S.K. Mendiratta, Adv.
Mr. Somiran Sharma, Adv.

Mr. A.S. Bhasme, Adv.

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

.....L.....I.....J
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I.A. No.6 in Original Suit No.2.@@
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This is an application filed by the plaintiff-State of Assam, for amendment of the plaint in view of the subsequent events. State of Nagaland has serious objections to the same. But, we see no justification in the objections in question. Prayer for amendment is accordingly allowed. State of Nagaland is permitted to file its written objections. The amended plaint may be filed within four weeks from today and additional written statement be filed within four weeks thereafter.

With reference to the order of this Court dated 5th August, 2002, Mr. K.K. Venugopal, appearing for State of Assam that the State of Assam has no objection to have a reference to the Boundary Commission to demarcate the constitutional boundary between the two States, and in that regard response will be filed within a week from today.

State of Nagaland will also give its response to the said Boundary Commission. State of Arunachal has already filed its response. It will be in the interest of all concerned to get this dispute settled by a Boundary Commission to be appointed by the Union of India.

I.A. No.7 in Original Suit No.2.@@
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This application by the Election Commission to have additional election booths on the alleged encroached area, subject to the final decision in the suit, cannot be allowed. The Election Commission would do well in having the election booths as it had in 1991 Elections.

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(J.S. Rawat)
Court Master

(Suneet Bala Sharma)
Assistant Registrar