

ITEM NO.31  
SECTION XVII-A

REGISTRAR COURT. 2 THROUGH VIDEO CONFERENCE

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

BEFORE THE REGISTRAR SH. RAJIV KALRA

Original Suit (s). No(s). 2/1988

STATE OF ASSAM

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(I.A. NO. 17097 OF 2021 MAY BE SHOWN AS APPLICATION FOR EARLY COMPLETION OF RECORDING OF EVIDENCE TO PLAINTIFF'S WITNESS NO. 9 WITH AFFIDAVIT AND IA No. 17097/2021 - APPROPRIATE ORDERS/DIRECTIONS)

Date : 12-03-2021 This matter was called on for hearing today.

For Petitioner(s) Mr. Manoj Goel, Adv.  
Mr. Shuvodeep Roy, AOR  
Mr. Rahul Raj Mishra, Adv.

For Respondent(s) Mr. Vibhu Shanker Mishra, Adv.  
Mr. B.V. Balram Das, AOR

Mr. Mohit D. Ram, AOR

Mr. K. N. Balgopal, Adv.  
Mr. G. Ramakrishna Prasad, AOR  
Ms. Nitya Nambiar, Adv.  
Mr. Vitso Rio, Adv.  
Mr. Mohinder Saini, Adv.

UPON HEARING THE COUNSEL THROUGH VIDEO CONFERENCE, THE  
COURT MADE THE FOLLOWING

O R D E R

Arguments heard on the application moved by the plaintiff with the request to take up the matter physically before the Registrar Court and to complete the examination of PW-9 before the date of his superannuation i.e., 31.03.2021. In alternative, it has been requested to direct the Survey of India to provide all facilities

and access to all its relevant documents etc. to PW-9 even after his superannuation till the completion of his deposition.

As per record the examination-in-chief of PW-9 has been recorded in part on 18 different dates since the year 2017 onwards and his chief examination is yet to be completed. There is no bar in the eyes of law to record the statement of PW-9 even after the date of his superannuation i.e., 31.03.2021 and even in that eventuality the official record can be put to the witness during his examination. To contain the spread of COVID-19 pandemic, there is restriction of physical appearance before the Court. But now, a latest SOP has been uploaded on the official website, whereby the Competent Authority has allowed hybrid hearing from 15.03.2021. With these observations, the application moved by the plaintiff stands disposed of.

With the mutual consent of learned counsel of both the parties, the remaining examination of PW-9 will be recorded on 28.04.2021 and 29.04.2021.

(RB)

RAJIV KALRA  
Registrar