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C.A.No. 1012 OF 2002

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PART-HEARD@@

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ITEM No.101

COURT No. 1

SECTION XVI/X

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. 1012 of 2002@@

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Property Owners' Association & Ors.

Appellant(s)

VERSUS

State of Maharashtra & Ors.

Respondent(s)

(With appln.(s) for stay and office report)

With S.L.P. (C) No. 5777 of 1992

(With appln.(s) for stay and office report)

S.L.P. (C) No. 5204 of 1992

(With appln.(s) for stay and office report)

S.L.P. (C) No. 8797 of 1992

(With appln.(s) for c/delay in filing SLP, stay and office report)

S.L.P. (C) No. 7950 of 1992

(With appln.(s) for stay, urging addl. grounds and office report)

Writ Petition (C) No. 934 of 1992

(With appln.(s) for directions, urging addl. grounds and office report)

Writ Petition (C) No. 16 of 1996

(With appln.(s) for amendment of the petition and exemption from filing O.T.)

S.L.P. (C) No. 6744 of 1993

(With appln.(s) for stay and office report)

S.L.P. (C) No. 2303 of 1995

(With appln.(s) for stay and office report)

S.L.P. (C) No. 13467 of 1995

(With office report)

S.L.P. (C) No. 4367 of 1992

(With appln.(s) for stay and office report)

S.L.P. (C) Nos. 6191-6192 of 1992

(With appln.(s) for stay, impleading party, permission to file addl. affidavit and office report)

[With I.A. Nos.12-13]

Writ Petition (C) No. 342 of 1999

(With office report)

Writ Petition (C) No. 469 of 2000

(With appln.(s) for stay and office report)

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Writ Petition (C) No. 660 of 1998
(With appln.(s) for intervention and office report)

I.A. Nos.2-3 in Civil Appeal Nos.2797-2798 of 1992
(For directions and office report)

Writ Petition (C) No. 672 of 2000
(With appln.(s) for ex-parte stay and office report)

Writ Petition (C) No. 419 of 2001
(With appln.(s) for stay and office report)

S.L.P. (C) No. 4129 of 1992
(With appln.(s) for interim relief, directions and office report)

Date : 12/02/2002 These matters were called on for hearing today

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE SYED SHAH MOHAMMED QUADRI
HON'BLE MR. JUSTICE R.C. LAHOTI
HON'BLE MR. JUSTICE N. SANTOSH HEGDE
HON'BLE MR. JUSTICE DORAISWAMY RAJU
HON'BLE MRS.JUSTICE RUMA PAL
HON'BLE MR. JUSTICE ARIJIT PASAYAT

For Appellant (s) Mr. F.S. Nariman, Sr. Adv.
In CA 1012/02, SLP Mr. U.A. Rana, Adv.
5777/92 & 5204/92: Mr. Prashant Bezboruah, Adv.
Ms. Shalini Gupta, Adv.
for M/s. Gagrat & Co., Advs.

In SLP 8797/1992: Mr. P. Narasimhan, Adv.

In SLP 7950/1992, Mr. F.S. Nariman, Sr. Adv.
WP 934/92, 660/98, Mr. T.R. Andhyarujina, Sr. Adv.
I.As. in CA 2797- Mr. P.H. Parekh, Adv.
98/92, SLP 4129/92 Mr. Sameer Parekh, Adv.
& 6191-92/92: Mr. Subhash Sharma, Adv.
Mr. E.R. Kumar, Adv.
Mr. Rohit Alex, Adv.
Ms. Ruchi Khurana, Adv.
Mr. Mulraj Shah, Adv.
Ms. Dhun Chhapgar, Adv.

In SLP 2303/95: Mr. D.A. Dave, Sr. Adv.
Ms. Ruchi Khurana, Adv.
Mr. P.H. Parekh, Adv.

In WP 16/96, 342/99, Mr. Ranjit Kumar, Sr. Adv.
469/2000, 672/2000 & Mr. S.R. Setia, Adv.
419/01: Mr. Varun Goswami, Adv.

In SLP 6744/93: Mr. Vijay K. Jain, Adv.

In SLP 13467/95: Mr. O.P. Poplai, Adv.
Mr. P.N. Gupta, Adv.

In SLP 4367/92: Ms. J.S. Wad,Adv.

For Respondent(s)/
For Maharashtra: Mr. P.P. Rao,Sr.Adv.
Mr. Sanjay R. Hegde,Adv.
Mr. S.V. Deshpande,Adv.
Mr. Ashok Kumar Pandey,Adv.
Mr. Satya Mitra,Adv.
Ms. Priya Hegde,Adv.
for Mr. G.B. Sathe,Adv.

In CA 1012/02: Mr. Anil B. Divan,Sr.Adv.
Mr. Harsh Desai,Adv.
Mr. Mahesh Agarwal,Adv.
Mr. Rishi Agarwal,Adv.
Mr. Manu Krishnan,Adv.
Mr. E.C. Agrawala,Adv.

In CA 1012/92:
(R-2/MHADA) Mr. Ashok H. Desai,Sr.Adv.
Mr. M.N. Shroff,Adv.
Mr. Pallav Shishodia,Adv.
Mr. Milind Sathe,Adv.
Mr. Sanjay Hegde,Adv.
Mr. Chirag M. Shroff,Adv.

In SLP 5777/92
5204/92,8797/92,
7950/92,WP 16/96,
SLP 6744/93,
2303/95,13467/95,
4367/92,6191-92/92,
WP 342/99,469/00,
672/2000 & SLP
4129/92: Mr. Pallav Shishodia,Adv.
Mr. Sanjay R. Hegde,Adv.
Mr. M.N. Shroff,Adv.

In WP 660/98:
(Resp. No.5) Mr. Bhimrao Naik,Sr.Adv.
Mr. Chirag M. Shroff,Adv.
Mr. M.N. Shroff,Adv.

In WP 660/98:
(Resp. No.4) Mr. Harish N. Salve,SG.
Mr. M.N. Shroff,Adv.
Mr. Chirag M. Shroff,Adv.

In CA 1012/02: Mr. Ranjit Kumar,Sr.Adv.
Mr. S.R. Setia,Adv.
Mr. Varun Goswami,Adv.

In CA 1012/02 &
WP 660/98: Mr. G.L. Sanghi,Sr.Adv.
Ms. Praveena Gautam,Adv.
Mr. Pramod B. Agarwala,Adv.

In SLP 6744/93,
6191-92/92,
WP 660/98 & IAs.
in CA 2797-98/92: Mr. K.V. Sreekumar,Adv.

In SLP 2303/95 &
WP 660/98: Mr. Gopal Jain,Adv.
Mr. R.N. Karanjawala,Adv.
Ms. Nandini Gore,Adv.
Ms. Manik Karanjawala,Adv.

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In SLP 13467/95: Mr. Sushil Kumar Jain,Adv. (N/P)

In SLP 13467/95: Mr. Manoj Swarup,Adv.
Ms. Lalita Kohli,Adv.
for M/s. Manoj Swarup & Co.,Advs.

In WP 342/99: Mr. C. Mukund,Adv.
Mr. T.V. Ratnam,Adv.

In WP 469/2000: Mr. A.S. Bhasme,Adv.
Mr. Sanjay K. Visen,Adv.
Mr. Manoj K. Mishra,Adv.

In WP 660/98:
(Resp. No.2) Mr. Anil B. Divan,Sr.Adv.
Mr. Mahesh Agarwal,Adv.
Mr. Rishi Agarwal,Adv.
Mr. Manu Krishnan,Adv.
Mr. E.C. Agrawala,Adv.

In WP 660/98:
(Resp. No.3) Mr. Keerit J. Shah,Adv.
Mr. Mahesh Agarwal,Adv.
Mr. Rishi Agarwal,Adv.
Mr. Manu Krishnan,Adv.
Mr. E.C. Agrawala,Adv.

In WP 660/98: Ms. Indu Malhotra,Adv. (N/P)

In WP 660/98: Mr. P.N. Gupta,Adv.
Mr. O.P. Poplai,Adv.

In WP 660/98: Mr. Vishwajit Singh,Adv.

In WP 660/98: Mr. S.M. Jadhav,Adv.

In WP 660/98: Ms. B. Vijayalakshmi Menon,Adv. (N/P)

In WP 660/98: Mr. Prashant Kumar,Adv. (N/P)

In WP 660/98: Mr. Anip Sachthey,Adv. (N/P)

In WP 660/98: Mr. Prashant Chaudhary,Adv.

In WP 660/98: Mr. M.C. Dhingra,Adv.

In WP 660/98: Mr. Praveen Swarup,Adv.

In WP 660/98: Mr. S.K. Verma,Adv.

In WP 660/98: Ms. Bela Maheshwari,Adv.

In WP 660/98: Ms. Geetanjali Mohan,Adv.

In WP 660/98: Mr. Shrish Kumar Mishra,Adv.

In WP 660/98: Mr. Rajiv Dutta,Sr.Adv.
Mr. R. Nedumaran,Adv.

In WP 419/01: Mr. Pranab Kumar Mullick,Adv.

...5/-

In SLP 4129/92: Mr. U.U. Lalit,Adv.

In WP 419/2001: Mr. Atul Y. Chitale,Adv.
Mr. Sanjib Sen,Adv.

Ms. Suchitra A. Chitale, Adv.

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

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Mr. F.S. Nariman, learned counsel, commenced his arguments at 10.40 a.m. and was on his legs when the court rose for the day.

The matter remained part-heard.

(T.I. Rajput) (N. Annapurna) (Shelly Sengupta)
Court Master Court Master Court Master

PART-HEARD@@
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ITEM NO.101 COURT NO.1 SECTION XVI/X @@
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DATE: 13TH FEBRUARY, 2002@@
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CORAM AND APPEARANCE: AS OF 12TH FEBRUARY, 2002.@@
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Having regard to the contentions on behalf of the appellants in relation to Article 31-C of the Constitution, as amended by the 42nd Amendment Act, which was struck down by this Court in the case of Minerva Mills (1980 (2) S.C.C.@@
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591), we deem it expedient to give notice to the Union of India and the Attorney General.

Notice is taken by the Solicitor General, who is presently appearing for one of the respondents. He submits that the matter can proceed.

Mr. F.S. Nariman, learned counsel, resumed his arguments at 10.30 a.m. and concluded at 3.10 p.m. Thereafter, Mr. T.R. Andhyarujina, learned counsel, commenced his arguments and was on his legs when the court rose for the day.

The matter remained part-heard.

(T.I. Rajput) (N. Annapurna) (Shelly Sengupta)
Court Master Court Master Court Master