

LISTED ON 13.05.2016(Supply)

COURT NO.

ITEM NO.

SEC.IV-A

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

INTERLOCUTORY APPLICATION NO. /2016

(Application for modification/clarification of order dated 04.05.2016)

IN

PETITIONS FOR SPECIAL LEAVE TO APPEAL (CIVIL) NO. 11163 OF 2016
WITH PRAYER FOR INTERIM RELIEF

The Tobacco Institute of India.

...Petitioner(s)

-Versus-

Union of India & Ors.

...Respondent(s)

OFFICE REPORT

The matter above mentioned was listed before the Hon'ble Court alongwith connected matters on 04.05.2016, when the Court was pleased to pass the following order:

“Heard learned counsel appearing for the parties.

Mr. Arvind P. Datar, learned senior counsel submits that the subject-matter of challenge in writ proceedings in which the impugned order has been passed pertains to the constitutional validity of the Cigarettes and Other Tobacco Products (Packaging and Labelling) Amendment Rules, 2014 (hereinafter referred to as the Rules) framed by the Government of India and the same is pending before the Karnataka High Court.

Mr. Ranjit Kumar, learned Solicitor General has handed over a list of cases on the issue pending before various High Courts. It is seen from the list that most of the matters are pending before the Karnataka High Court and few of them are pending in Bombay, Gujarat and Delhi High Courts.

It has been contended before us by learned counsel appearing for the parties that all the matters which are pending before different High Courts be transferred to a particular High Court so that the matters can be heard and disposed of at a time.

In view of that, it is considered appropriate, at this stage, to transfer all the matters pending before the different High Courts to the Karnataka High Court.

We, therefore, transfer all matters pending before various High Courts, as referred to hereinabove, on the issue to the Karnataka High Court. We request the Hon'ble Chief Justice of the Karnataka High Court to

constitute a Bench, which would dispose of the same within a period of six weeks from date. We further make it clear that the matters should be disposed of by the Principal Bench of the Karnataka High Court.

We have also been informed that the cases transferred include Public Interest Litigation petitions pending for implementation of the said Rules. In view of that, we would also request the Chief Justice of the Karnataka High Court to decide whether the cases transferred hereby would be taken up by a Division Bench or a Single Bench in accordance with the Rules of the said High Court.

Stay, if any, already granted by any High Court shall not be given effect to till the cases are finally disposed of.

We make it clear that any other order passed by any High Court including the order passed by this Court dated 06.05.2009 on the Interlocutory Applications filed in Writ Petition (C) No. 549/2008 with regard to the stay shall not stand in the way of the Karnataka High Court to decide the matter on merits.

The Secretary General of this Court is directed to send a copy of this order to the Registrar Generals of the concerned High Courts where similar matters are pending with a request to take necessary steps for sending the relevant records/documents to the Karnataka High Court within a period of two weeks from the date of receipt of copy of this order.

The Special Leave Petitions and the Writ Petitions stand disposed on the aforesaid terms.”

It is submitted that Mr. Rajan Narain, Advocate has on 11.05.2016 filed an application for modification/clarification of order dated 04.05.2016 (copy enclosed) on behalf of Godfrey Philips India Ltd along with Annexures A & B with affidavit. The applicant is not a party in the SLP.

Thereafter, the application above mentioned in the matter was mentioned before the Hon'ble Court on 11.05.2016, when the Court was pleased to pass the following order:

“List this I.A on Friday, the 13th May, 2016.”

In view of the aforesaid order, the unregistered application is listed before the Hon'ble Court with this report.

Dated this the 12th day of May, 2016.

Copy to: Mr. Rajan Narain, Advocate

ASSISTANT REGISTRAR

ASSISTANT REGISTRAR

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