

SECTION XI
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

Listed On: 23.03.2017
Court:
Item:

INTERLOCUTORY APPLICATION NO. 11 & 12

(Application for direction & exemption from filing O.T. filed by Nikhil
Majitha, Advocate)

WITH

INTERLOCUTORY APPLICATION NO. 1 in I.A. No. 11 in C.A. No. 2608/2011

(Application for impleadment/directions filed by Mr. Manoj Kumar Mishra, Advocate)

AND

INTERLOCUTORY APPLICATION NO. 15 & 16

(Application for Direction & exemption from filing O.T. filed by Mr. Manoj Mishra,
Advocate)

AND

INTERLOCUTORY APPLICATION NO. 17

(Application for impleadment filed by Mr. Vivek Singh, Advocate)

AND

INTERLOCUTORY APPLICATION NO. 18

(Application for impleadment filed by Mr. R.P. Goyal, Advocate)

AND

INTERLOCUTORY APPLICATION NO. 22

(Application for impleadment filed by Mr. Sudhansu Palo, Advocate)

AND

INTERLOCUTORY APPLICATION NO. 25

(Application for intervention filed by Mr. Anupam Lal Das, Advocate))

AND

INTERLOCUTORY APPLICATION NO. 26

(Application for impleadment filed by Mr. P.S. Tripathi, Advocate)

AND

INTERLOCUTORY APPLICATION NO. 27

(Application for impleadment filed by Ms. Diksha rai, Advocate)

AND

INTERLOCUTORY APPLICATION NO. 28-30

(Application for direction & Exemption from filing O.T. filed by Mr. Rajesh Kumar,
Advocate)

AND

INTERLOCUTORY APPLICATION NO. 31

(Application for exemption from filing O.T. filed by Mr. Nikhil Majitha, Advocate)

AND

INTERLOCUTORY APPLICATION NO. 32 & 33

(Application for direction & exemption from filing O.T. filed by Mr. Sunil Farnedes,
Advocate)

AND

INTERLOCUTORY APPLICATION NO. 34 & 35

(Application for direction & Exemption from filing O.T. filed by Mr. Raj Singh Rana,
Advocate)

AND

INTERLOCUTORY APPLICATION NOS. 36-37

(Application for Direction & exemption from filing O.T. filed by Mr. Manoj Kumar Mishra,
Advocate)

AND

INTERLOCUTORY APPLICATION NOS. 38 & 39

(Application for Direction & exemption from filing O.T. filed by Mr. Prabodh Kumar,

AND

INTERLOCUTORY APPLICATION NO. 40

(Application for impleadment filed by Ms. Raj Singh Rana, Advocate)

AND

INTERLOCUTORY APPLICATION NOS. 41 & 42

(Application for Direction & exemption from filing O.T. filed by Mr. Pramit Saxena,
Advocate

AND

INTERLOCUTORY APPLICATION NOS. 43 & 44

(Application for Direction & exemption from filing O.T. filed by Dr. Krishna Singh
Chauhan, Advocate)

AND

INTERLOCUTORY APPLICATION NO. 45-47

(Application for impleadment, direction & Exemption from filing O.T. filed by Mr. Santosh
Krishnan, Advocate

AND

INTERLOCUTORY APPLICATION NOS. 48-50

(Application for impleadment, Direction & exemption from filing O.T. filed by Mr. Vishwa
Pal Singh, Advocate)

AND

INTERLOCUTORY APPLICATION NOS. 51 & 52

(Application for Direction & exemption from filing O.T. filed by Mr. Rajesh Kumar,
Advocate)

AND

INTERLOCUTORY APPLICATION NO. 53

(Application for direction filed by Mr. Rajeev singh, Advocate)

AND

INTERLOCUTORY APPLICATION NOS. 54 & 55

(Application for Direction & exemption from filing O.T. filed by Mr. Manoj Kumar Mishra,,
Advocate)

AND

INTERLOCUTORY APPLICATION NOS. 56-59

(Application for Direction & exemption from filing O.T. filed by Mr. Prabodh Kumar,
Advocate)

AND

INTERLOCUTORY APPLICATION NO. 60

(Application for Direction filed by Mr. Sanjay Kumar Dubey, Advocate)

AND

INTERLOCUTORY APPLICATION NOS. 61-63

(Application for impleadment, Direction & exemption from filing O.T. filed by Mr.
Vishwajit Singh, Advocate)

AND

INTERLOCUTORY APPLICATION NO. 64

(Application for Direction filed by Mr. Abinash Kumar Mishra, Advocate)

AND

INTERLOCUTORY APPLICATION NOS. 65-67

(Application for impleadment, Direction & exemption from filing O.T. filed by Mr. Rutwik
Panda, Advocate)

IN
CIVIL APPEAL NO. 2608 OF 2011
AND
INTERLOCUTORY APPLICATION NO. 4
(Application for impleadment filed by Mr. R.D. Upadhyay, Advocate)
AND
INTERLOCUTORY APPLICATION NO. 5
(Application for impleadment filed by Mr. YP. Dhingra, Advocate)
AND
INTERLOCUTORY APPLICATION NO. 10 OF 2016
(Application for Direction filed by Mr. N. Rajaram, Advocate)
IN
CIVIL APPEAL NO 2679 OF 2011
WITH
CIVIL APPEAL NO. 6584 OF 2015
WITH
INTERLOCUTORY APPLICATION NOS. 5 & 6
(Applications for impleadment and exemption from filing official translation)
WITH
INTERLOCUTORY APPLICATION NOS. 7
(Application for intervention filed by Mr. D.K. Garg, Advocate)
WITH
INTERLOCUTORY APPLICATION NOS. 8 & 9
(Application for direction & Exemption from filing O.T. filed by Mr. P.S. Tripathi,
Advocate)
AND
INTERLOCUTORY APPLICATION NOS. 4-6
(Application for impleadment, direction & Exemption from filing O.T. filed by Mr. Kedar
Nath Tripathi, Advocate)
IN
CONTEMPT PETITION (CIVIL) NO. 214 OF 2013
IN
CIVIL APPEAL NO. 2679 OF 2011
WITH
CONTEMPT PETITION (CIVIL) NO. 259 OF 2016
IN
CONTEMPT PETITION (CIVIL) NO. 214 OF 2013
IN
CIVIL APPEAL NO. 2679 OF 2011

U.P. POWER CORP. LTD.

...APPELLANTS

VERSUS

RAJESH KUMAR & ORS.

...RESPONDENTS

OFFICE REPORT

I.A. Nos. 11, 12, 25, 26, 27, 36, 37, 48 to 64 in Civil Appeal No. 2608 of 2011 and I.A. Nos. 4 & 10 in Civil Appeal No. 2679 of 2011 and Civil Appeal No. 6584 of 2015

The interlocutory applications Nos. 11, 12, 25, 26, 27, 36, 37, 48 to 64 above mentioned in Civil Appeal No. 2608 of 2011 and I.A. Nos. 4 & 10 in Civil Appeal No. 2679 of 2011 and Civil Appeal No. 6584 of 2015 along-with office report dated 11th March, 2017, were listed before the Hon'ble Court on 20th March, 2017, when the Court was pleased to pass the following order:-

“List these matters & all pending I.As along with Civil Appeal No. 6584 of 2015 and the transferred cases arising out of writ petitions no. 5828 of 2015 and 17979 (S/B) of 2016 on the file of Allahabad High Court (Lucknow Bench).

The applicants in the pending I.As may give a copy of each of their I.As to Mr. Ravi Prakash Mehrotra, Advocate, appearing for the State of U.P. and the learned counsel appearing in the writ Petitions which are listed today may also supply a copy of the writ petitions to Mr. Ravi Prakash Mehrotra, Advocate.

List on Thursday i.e. 23rd March, 2017.

Liberty is granted to the learned counsel for the parties to file affidavits in the above matters.”

It is further submitted that Mr. Vishwajit Singh, Advocate has on 21.3.2017 filed proof of service in I.A Nos. 48 to 50 after serving the copies of I.A. on Mr. R.P. Mehrotra, Advocate.

It is further submitted that Mr. Rutwik Panda, Advocate has on 21.3.2017 filed applications for impleadment, directions and exemption from filing official translation. The applications are registered as I.A. Nos. 65, 66 and 67 respectively. (Copies of applications are circulated herewith).

I.A. No. 1 in I.A. No. 11 and I.A. Nos. 15-16, 17-18, 22, 28-29, 30-31, 34-35, 41-42, 43-44 and 45-47 in CA No. 2608/2011

The interlocutory applications Nos. 15-16, 17-18, 19-20, 22, 23-24, 28-29, 30-31, 34-35, 41-42, 43-44 and 45-47 in CA No. 2608/2011 along-with office report dated 22.9.2016 were listed before the Hon'ble Court on 23rd November,

2016, when the Court was pleased to pass the following order:-

“In these interlocutory applications, the orders of reversion, which have been affirmed by the Grievance Committed, are called in question. Copies of the applications have been served on Mr. Ravi Prakash Mehrotra, learned counsel for the State of U.P. The order passed by the Grievance Committee has not yet been served on the applicants. Let the same be served within a week. The State shall file the reply to the interlocutory applications within four weeks hence. Rejoinder affidavit, if any, be filed within two weeks therefrom.

Let the matter be listed in the second week of February, 2017, on non-miscellaneous day. ”

It is submitted that pursuant to Hon'ble Court's order dated 23.11.2016 no documents/reply has been filed in the above mentioned interlocutory applications so far.

It is further submitted that M/s. Sunil Fernandes and Prabhod Kumar, Advocates have on 31.8.2016 and 22.10.2016 filed applications for directions and exemption from filing official translation in Civil Appeal No. 2608 of 2011. The same have been registered as I.A. Nos. 32,33 and 38,39 respectively. (Copies of the same have already been circulated).

It is further submitted that Mr. Raj Singh Rana , Advocate has on 3.10.2016 filed applications for directions in Civil Appeal No. 2608 of 2011. The same have been registered as I.A. Nos. 40. (Copy of the same has already been circulated).

It is further submitted that Mr. YP. Dhingra, Advoate has on 11.5.2016 filed an applications for impleadment and directions on behalf of Suresh Chandra in Civil Appeal No. 2679 of 2011. The Application for impleadment has been registered as I.A. No. 5. (Copy of the same has already been circulated).

I.A. No. 4-6 of 2016 in Contempt Petition No. 214 of 2013 in CA No. 2679 of 2011 and Contempt Petition No. 259 of 2016 in Contempt Petition No. 214 of 2013 in CA No. 2679 of 2011.

The Interlocutory applications Nos. 4-6 of 2016 in Contempt Petition No. 214 of 2013 in CA No. 2679 of 2011 and Contempt Petition No. 259 of 2016 in Contempt Petition No. 214 of 2013 in CA No. 2679 of 2011 were listed before the Hon'ble Court on 25th April, 2016, when the Court was pleased to pass the

following order:-

“I.A. No. 4-6 in Cont. Pet (C) No. 214/2013 in C.A. No. 2679/2011

Issue notice.

Mr. Ravi Prakash Mehrotra, learned counsel, accepts notice on behalf of the State and its functionaries and undertakes to file a reply within eight weeks. Rejoinder thereto , if any, be filed within four weeks therefrom.

Contempt Petition (C) No. 259/2016

Heard Mr. Fakhruddin, learned senior counsel for the petitioner and Mr. Ravi Prakash Mehrotra, learned counsel for the State.

Having heard learned counsel for the parties, it is directed that the Grievance Committee shall decide the representation submitted by the petitioner within twelve weeks hence.

A copy of the contempt petition, as well as the representation shall be supplied to Mr. Ravi Prakash Mehrotra, within a week hence.”

I.A. No. 4-6 of 2016 in C.P. NO. 214/2013

Accordingly, show cause notice was issued to Mr. R.P. Mehrotra, Advocate for the State and he has on 18.11.2016 filed counter affidavit. (Copy of the same have already been included in the I.A. Paper books).

C.P. No. 259/2016 in C.P. No. 214 of 2013

It is submitted that Ms. Rashmi Singh, Advocate has on 4.5.2016 filed proof of service after serving the copy of contempt petition to Mr. R.P. Mehrotra, Advocate pursuant to Hon'ble Court order dated 25.4.2016.

It is further submitted that Mr. R.P. Mehrotra, Advocate for the state has on 3.10.2016 filed affidavit on behalf of State of Uttar Pradesh. (Copy of the same have already been included in the contempt petition paper books).

The Applications in the Appeals, Contempt Petitions and appeal above mentioned are listed before the Hon'ble Court with this Office Report.

Dated this the 22nd day of March, 2017.

ASSISTANT REGISTRAR

Copy to:

Mr. Nikhil Majitha, Advocate
Mr. Satyajeet Kumar, Advocate
Mr. Manoj Kumar Mishra, Advocate
Mr. Vivek singh, Advocate
Mr. R.P. Mehrotra, Advocate
Mr. Varinder Kumar Sharma, Advocate
Mr. Sudhansu Palo, Advocate

Mr.. R.P. Goyal, Advocate
Mr. P.S. Tripathi, Advocate
Mr. Anupam Lal Das, Advocate
Ms. Diksha Rai, Advocate
Mr. Rutwik Panda, Advocate
Mr. R.D. Upadhyay, Advocate
Mr. Vishwajeet Singh, Advocate
Mr. Rajesh Kumar, Advocate
Mr. N. Rajaram, Advocate
Mr. YP. Dhingra, Advocate
Mr. Raj singh Rana, advocate
Mr. Pramit Saxena, advocate
Mr. Prabodh Kumar, advocate
Mr. Sunil Ferndes, Advocate
Mr. Rutwik Panda, Advocate
Dr. Krishnana Singh Chauhan, Advocate
Dr. Santosh Krishnan, Advocate
Mr. N. Rajaraman, Advocate
Mr. Sanjay Kumar Dubey, Advocate
Mr. Vishwapal singh, Advocate
Mr. Rajeev Singh, Advocate
Mr. Abinash Kumar Mishra, Advocate
Mr. sanjay Kumar Dubey, Advocate
Mr. Vishwa Pal Singh, Advocate

ASSISTANT REGISTRAR