

ITEM NO.4+5+18+19+20+21

COURT NO.5

SECTION XI

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

CONMT.PET.(C) No. 214/2013 In C.A. No. 2679/2011

AMAR KUMAR & ORS.

Petitioner(s)

VERSUS

JAVED USMANI, C.SEC., GOVT.OF U.P.& ORS.

Respondent(s)

(With appln. (s) for exemption from filing O.T. and intervention and office report)

W.P. (C) No.273/2015

(With appln.(s) for exemption from filing O.T. and Stay and Office Report)

SLP (C) No. 21918/2015

(With interim relief and office report)

SLP (C) No. 24364/2015

(With interim relief and Office Report)

Conmt. Pet. (C) No. 414/2015 in C.A. No.2610/2011

(With Office Report)

W.P. (C) No. 638/2015

(With appln.(s) for exemption from filing O.T. and stay and office report)

W.P. (C) No. 639/2015

(With appln.(s) for exemption from filing O.T. and stay and office report)

W.P. (C) No. 652/2015

((With appln.(s) for exemption from filing O.T. and stay and office report)

W.P. (C) No. 656/2015

((With appln.(s) for exemption from filing O.T. and stay and office report)

Date : 15/09/2015 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE DIPAK MISRA
HON'BLE MR. JUSTICE PRAFULLA C. PANT

For Petitioner(s)

Mr. K.V. Viswanathan, Sr. Adv.
 Ms. Mahalaxmi Pavani, Sr. Adv.
 Mr. Santosh Krishnan, Adv.
 Mr. Mehul, Adv.

Dr. Rajeev Dhavan, Sr. Adv.
 Mr. Kumar Parimal, Adv.
 Mr. Aniruddha P. Mayee, AOR
 Mr. Kabir Ghosh, Adv.

Mr. L. Nageshwar Rao, Sr. Adv.
 Mr. Sunil Fernandes, AOR
 Mr. S. Hariharan, Adv.
 Ms. Astha Sharma, Adv.

Mr. C.A. Sundram, Sr. Adv.
 Mr. Gaurav Agrawal, Adv.
 Mr. Pawan Shukla, Adv.
 Mr. Abhishek Sharma, Adv.

Mr. Salman Khurshid, Sr. Adv.
 Mr. A.S. Rawat, Sr. Adv.
 Mr. K.K. Tyagi, Adv.
 Mr. Rajeev Kumar Bansal, AOR

Mr. L. Nageswara Rao, Sr. Adv.
 Mr. Ravindra Srivastava, Sr. Adv.
 Mr. Pallav Shishodia, Sr. Adv.
 Mr. Kamlesh Mishra, AOR

Mr. F.S. Nariman, Sr. Adv.
 Mr. Subhash Sharma, Adv.
 Ms. Dorcus Jones, Adv.
 Mr. Arunabh Choudhary, Adv.
 Ms. Sanjana Singh, Adv.
 Ms. Pallavi Langar, Adv.

For Respondent(s)

Mr. Vinay Garg, Adv.
 Mr. Aviral Saxena, Adv.

Mr. Varun Thakur, Adv.
 Ms. Shraddha Saran, Adv.
 Mr. Varinder Kumar Sharma, AOR

Mr. K.S. Chauhan, Adv.
 Mr. Ajit Kumar Ekka, Adv.
 Mr. Ravi Prakash, Adv.
 Mr. Chand Kiran, Adv.
 Mr. Murari Lal, Adv.
 Mr. K.K.L. Gautam, Adv.

Mr. Ravi P. Mehrotra, Adv.
Mr. Abhinav Malik, Adv.

Mr. Vikas Singh, Sr. Adv.
Mr. Amit Sharma, Adv.

Dr. Abhishek Manu Singhvi, Sr. Adv.
Mr. Kartikeya Desai, Adv.
Mr. Amit Bhandari, Adv.
Mr. Satya Mitra, Adv.

Mr. C.U. Singh, Sr. Adv.
Mr. Uday B. Dube, Adv.

Mr. C.A. Sundaram, Sr. Adv.
Mr. Tapesh Kumar Singh, Adv.

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

On 20.08.2015, after hearing the learned counsel for the parties, the following order was passed :-

"It is submitted by mr. Ravi Prakash Mehrotra, learned counsel for the State of U.P. that the judgment passed in Uttar Pradesh Power Corporation Limited vs. Rajesh Kumar & Ors. (2012) 7 SCC 1, shall be complied with in letter and spirit within three weeks hence and the officers, who are to be reverted shall be reverted and they shall not be given any kind of additional charge. The Chief Secretary of the State of Uttar Pradesh shall file an affidavit by 15th September, 2015, stating that the same has been done, failing which this Court may be compelled to direct his personal appearance. No further adjournment or extension of time shall be granted on that score.

Be it added, the High Court shall not entertain any kind of petition with regard to the controversy that is covered in the decision rendered in Uttar Pradesh Power Corporation Limited (supra) or even linked with it.

The Registrar (Judicial) is directed to send a copy of this order to the Registrar General of the High Court of Allahabad, to be placed before

the learned Chief Justice so that he can do the needful in the matter.

List the matters on 15th September, 2015."

It is submitted by Mr. Mehrotra, learned counsel for the State, relying on the affidavit filed by the Chief Secretary, that 10,476 officers have been reverted. Dr. Dhavan, learned senior counsel along with Mr. Mayee, learned counsel, while not disputing the same, submits that the total exercise has not been carried out. Mr. Mehrotra, very fairly, stated that some more reversions have to take place.

Let that be done within three weeks hence.

It is hereby clarified that no petition, in any form or manner pertaining to this *lis*, shall be entertained by the High Court of Allahabad.

List the matter on 13.10.2015.

(Gulshan Kumar Arora)
Court Master

(H.S. Parasher)
Court Master