

ITEM NO.2

COURT NO.4

SECTION XII

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

IA 85263/2019 in Petition(s) for Special Leave to Appeal
(C) No(s). 12072/2019

(Arising out of impugned final judgment and order dated
30-04-2019 in WP No. 28890/2017 passed by the High Court
Of Judicature At Madras)

UNION OF INDIA & ORS.

Petitioner(s)

VERSUS

K. LAKSHMINARAYANAN & ORS.

Respondent(s)

IA No. 85263/2019 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 77995/2019 - EXEMPTION FROM FILING C/C OF THE
IMPUGNED JUDGMENT)

WITH

SLP(C) No. 11981/2019 (XII)

(FOR

FOR CLARIFICATION/DIRECTION ON IA 84858/2019

IA No. 84858/2019 - CLARIFICATION/DIRECTION)

Date : 04-06-2019 This application was called on for
hearing today.

CORAM : HON'BLE MS. JUSTICE INDU MALHOTRA
HON'BLE MR. JUSTICE M.R. SHAH
(VACATION BENCH)

For Petitioner(s)

Mr. A.S. Nadkarni, ASG

Mr. Gagan Gupta, Adv.

Mr. Vidur Mohan, Adv.

Mr. Salvador Santosh Rebello, Adv.

Mr. Aman Lekhi, ASG

Mr. Rajat Nair, Adv.

Mr. Kanu Agrawal, Adv.

Mr. Rajan Kumar Chourasia, Adv.
Ms. Suhasini Sen, Adv.
Mr. B. V. Balaram Das, AOR

For Respondent(s) Mr. P. Chidambaram, Sr. Adv.
 Mr. Kapil Sibal, Sr. Adv.
 Mr. Imtiaz Ahmed, Adv.
 Miss Anusha, Adv.
 Ms. Naghma Imtiaz, Adv.
 Mr. Ahmed Zargham, Adv.
 M/S. Equity Lex Associates, AOR

UPON hearing the counsel the Court made the following

O R D E R

Leave to join the Chief Minister of Puducherry as a party respondent so far as the present interlocutory application is concerned.

Mr. A.S. Nadkarni and Mr. Aman Lekhi, learned ASG have vehemently pressed for the interim relief prayed for in the present application and have requested to consider the grant of relief of status quo ante prevailing prior to the impugned judgment and order passed by the High Court. It is submitted if such a relief is not granted in that case the administration of the Union Territory is likely to standstill and/or likely to be affected. They have also placed on record the agenda of the Cabinet meeting to be convened on 03.06.2019 which is reported to

be now adjourned to 07.06.2019. They have submitted that if the final decisions are taken on the said agenda items, most of them would be having a financial implication and are implemented, main special leave petition shall become infructuous including present application.

The prayer is opposed by Mr. P. Chidambaram and Mr. Kapil Sibal, learned senior counsel appearing on behalf of the contesting respondents-original writ petitioners before the High Court.

Having heard the learned ASG and senior counsel appearing on behalf of the respective parties, notice on this application, returnable on 21.06.2019.

Dasti, in addition, is permitted.

In the meantime, the contesting respondents may file counter to the present application. It will be open for the contesting respondents to file counter affidavit in the main special leave petition also, if they so choose.

Till the next date of hearing of the present application, it is directed that any decision in the Cabinet meeting to be convened on 07.06.2019 having financial implication/implications or with respect to any transfer of the lands shall not be implemented. However,

it shall be without prejudice to the rights and contentions in the main special leave petition as well as in the present application.

So far as the substantive prayer for interim relief to direct to maintain the status quo ante prior to the impugned judgment passed by the High Court is concerned, the learned senior counsel appearing on behalf of the original writ petitioner(s) have stated at the Bar that till the matter is heard no contempt proceedings shall be initiated to implement the impugned judgment and order passed by the High Court.

The counsel for the Union of India as well as counsel for the Government of Puducherry shall file additional affidavit with grounds including placing on record the agenda of the Cabinet meeting to be held on 07.06.2019 within three days from today.

(ASHWANI KUMAR)
COURT MASTER (SH)

(PARVEEN KUMARI PASRICHA)
BRANCH OFFICER