

ITEM NOS.15

COURT NO.2
(HEARING THROUGH VIDEO CONFERENCING)

SECTION X

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

Miscellaneous Application No.101/2021 in W.P.(C) No.936/2018
(Arising out of impugned final judgment and order dated 29-04-2020
in W.P.(C) No.936/2018 passed by the Supreme Court Of India)

DINESH KUMAR GUPTA & ANR.

Petitioner(s)

VERSUS

THE HON'BLE HIGH COURT FOR JUDICATURE OF RAJASTHAN
& ORS.

Respondent(s)

(IA No.95228/2020 - FOR RECTIFICATION OF COURT'S ORDER)

WITH

MA No.2212/2020 in W.P.(C) No.610/2020 (X)
(IA No.63083/2020 - FOR APPROPRIATE ORDERS/DIRECTIONS; IA
No.99673/2020 - FOR EXEMPTION FROM FILING AFFIDAVIT; and, IA
No.99675/2020 - FOR EXEMPTION FROM FILING O.T.)

M.A. Diary No.16004/2020 in W.P. (C) No.967/2018 (X)
(IA No.70816/2020 - APPLICATION UNDER ORDER LV RULE 6 OF THE
SUPREME COURT RULES,2013; and, IA No.70817/2020 - FOR EXEMPTION
FROM PAYING COURT FEE)

Date : 29-09-2021 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE UDAY UMESH LALIT
HON'BLE MS. JUSTICE BELA M. TRIVEDI

Counsel for the Parties:

Mr. Vikas Singh, Sr. Adv.
Mr. Rishi Matoliya, AOR
Ms. Sumati Sharma, Adv.
Mr. Vinod Khandal, Adv.
Mr. Pradeep Matoliya, Adv.

Mr. Vikas Singh, Sr. Adv.
Mr. Avadh Bihari Kaushik, AOR
Ms. Deepeika Kalia, Adv.
Mr. Kapish Seth, Adv.
Mr. Mrityunjai Singh, Adv.
Mr. Satvik Mishra, Adv.
Ms. Priyanka Khosla, Adv.
Mr. Lakshay Gangawat, Adv.
Mr. Prateek Goyal, Adv.

Mr. R Balasubramnian, Sr. Adv.
Mr. Sachin Sharma, AOR
Mr. Anil Kumar Gulati, Adv.
Mr. Satyavrat Sharma, Adv.
Mr. Rahul Gaur, Adv.

Mr. Nikhil Singhvi, Adv.
Ms. Supriya Juneja, AOR
Ms. Cheshta Jetly, Adv.
Mr. Mohit Seth, Adv.
Ms. Ruchi, Adv.

Mr. Abhinav Mukerji, AOR
Ms. Bihu Sharma, Adv.
Ms. Pratishtha Vij, Adv.
Mr. Akshay Shrivastava, Adv.

Mr. K. Parameshwar, AOR
Ms. A. Sregurupriya, Adv.
Mr. Prasad Hegde, Adv.

Mr. Parveen Kumar Aggarwal, Adv.
Mr. Sanjay Jain, AOR

Ms. Prerna Singh, Adv.
Mr. Guntur Pramod Kumar, AOR

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

M.A. No.101/2021

Mr. Vikas Singh, learned Senior Advocate appearing for the applicants submits that paragraphs 15 and 16 of the judgment were never part of the record of the case. Reliance is placed on the Tabular Chart given in the application at page 2 onwards to submit that said paragraphs 15 and 16 were never part of the record.

The assertion made in the application is completely inadequate. Large number of petitions were filed which were dealt with and disposed of by the common judgment dated 29.04.2020. The averment made in the application does not say that the facts stated

in said paragraphs were not part of the record in any of the cases which were listed before this Court. We, therefore, refuse to entertain said submission.

It is also submitted that some of the statements in the judgment run counter to the notification dated 15.04.2010, copy of which notification was forwarded *inter alia* to those listed in Item No.6 (page 96 of the Writ Petition paperbook). It is submitted that the very same ground was taken in the Review Petitions but the Review Petitions were dismissed by this Court.

The Registry is directed to re-circulate those Review Petitions before the concerned Hon'ble Judges in Chambers alongwith this order so that the matter can be looked into.

However, we see force in the submission that there were errors on record on three counts:

- a. Instead of Writ Petition (Civil) No.498 of 2018, it ought to have been mentioned as Writ Petition (Civil) No.498 of 2019.
- b. Instead of "N.K. Parmar" at some of the places in the judgment, the cause title of the concerned case ought to be "N.R. Parmar".
- c. Instead of "Serial No.4224" appearing in Paragraph 30.5, it ought to be "Serial No.424".

The Registry is directed to effect appropriate corrections in the record.

With these observations, this Miscellaneous Application stands disposed of.

MA No.2212/2020

Heard Mr. Vikas Singh, learned Senior Advocate in support of the Miscellaneous Application.

We do not see any reason to entertain this Miscellaneous Application, which is accordingly dismissed.

Pending applications, if any, also stand disposed of.

M.A. Diary No.16004/2020

Heard Mr. Parveen Kumar Aggarwal, learned Advocate in support of the Miscellaneous Application.

We do not see any reason to entertain this Miscellaneous Application, which is accordingly dismissed.

Pending applications, if any, also stand disposed of.

(MUKESH NASA)
COURT MASTER

(VIRENDER SINGH)
BRANCH OFFICER