

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

Civil Appeal No(s). 5454/2019

ROHAN VIJAY NAHAR & ORS.

Appellant(s)

VERSUS

THE STATE OF MAHARASHTRA & ORS.

Respondent(s)

WITH

C.A. No. 5489/2019 (III)

(IA No. 16433/2019 - EXEMPTION FROM FILING O.T., IA No. 14812/2019 - EXEMPTION FROM FILING O.T. AND IA No. 16431/2019 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

C.A. No. 5473/2019 (III)

(IA No. 14109/2019 - EXEMPTION FROM FILING O.T.)

C.A. No. 5504/2019 (III)

(IA No. 43930/2019 - EXEMPTION FROM FILING O.T., IA No. 198645/2024 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES AND IA No. 183875/2024 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

C.A. No. 5499/2019 (III)

(IA No. 19092/2024 - APPLICATION FOR PERMISSION AND IA No. 48526/2022 - EXEMPTION FROM FILING O.T.)

C.A. No. 5501/2019 (III)

(IA No. 34347/2019 - EXEMPTION FROM FILING O.T.)

C.A. No. 5511/2019(III)

(IA No. 69566/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

SLP(C) No. 16001/2019(IX)

(IA No. 85020/2019 - EXEMPTION FROM FILING O.T.)

SLP(C) No. 16002/2019 (IX)

(IA No. 85712/2019 - EXEMPTION FROM FILING O.T.)

SLP(C) No. 16003/2019 (IX)

(IA No. 86750/2019 - EXEMPTION FROM FILING O.T.)

SLP(C) No. 16004/2019 (IX)

(IA No. 84979/2019 - EXEMPTION FROM FILING O.T.)

SLP(C) No. 16006/2019 (IX)

(IA No. 85668/2019 - EXEMPTION FROM FILING O.T.)

SLP(C) No. 16013/2019 (IX)

(IA No. 85521/2019 - EXEMPTION FROM FILING O.T.)

SLP(C) No. 16017/2019 (IX)

(IA No. 85683/2019 - EXEMPTION FROM FILING O.T.)

SLP(C) No. 16019/2019(IX)

(IA No. 86779/2019 - EXEMPTION FROM FILING O.T.)

C.A. No. 5503/2019 (III)

(IA No. 46157/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 130571/2019 - EXEMPTION FROM FILING O.T., IA No. 46156/2019 - EXEMPTION FROM FILING O.T., IA No. 130570/2019 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES AND IA No. 46155/2019 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

C.A. No. 5508/2019 (III)

(IA No. 50251/2019 - EXEMPTION FROM FILING O.T.)

C.A. No. 5506/2019 (III)

(IA No. 34134/2021 - EXEMPTION FROM FILING O.T. AND IA No. 53759/2019 - EXEMPTION FROM FILING O.T.)

C.A. No. 5502/2019 (III)

(IA No. 38198/2019 - EXEMPTION FROM FILING O.T.)

C.A. No. 5513/2019 (III)

(IA No. 47154/2019 - EXEMPTION FROM FILING O.T.)

C.A. No. 5505/2019 (III)

(IA No. 53194/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT AND IA No. 53196/2019 - EXEMPTION FROM FILING O.T.)

C.A. No. 5507/2019 (III)

(IA No. 54319/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT AND IA No. 54321/2019 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

SLP(C) No. 16012/2019 (IX)

(IA No. 89058/2019 - EXEMPTION FROM FILING O.T.)

C.A. No. 9434/2019 (III)

(IA No. 186787/2019 - EXEMPTION FROM FILING O.T.)

C.A. No. 1504/2020 (III)

(IA No. 6847/2020 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT AND IA No. 6848/2020 - EXEMPTION FROM FILING O.T.)

C.A. No. 574/2020 (III)

(IA No. 2006/2020 - EXEMPTION FROM FILING C/C OF THE IMPUGNED

JUDGMENT AND IA No. 2009/2020 - EXEMPTION FROM FILING O.T.)

C.A. No. 582/2020 (III)

(IA No. 3182/2020 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT AND IA No. 3183/2020 - EXEMPTION FROM FILING O.T.)

C.A. No. 1721/2020 (III)

(IA No. 19708/2020 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT AND IA No. 19710/2020 - EXEMPTION FROM FILING O.T.)

C.A. No. 5834/2019 (III)

(IA No. 74104/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 74101/2019 - EXEMPTION FROM FILING O.T., IA No. 103301/2019 - EXEMPTION FROM FILING O.T., IA No. 103300/2019 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, IA No. 74097/2019 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES AND IA No. 74099/2019 - PERMISSION TO FILE LENGTHY LIST OF DATES)

C.A. No. 5512/2019 (III)

(IA No. 65304/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT AND IA No. 65305/2019 - EXEMPTION FROM FILING O.T.)

C.A. No. 5608/2019 (III)

(IA No. 97285/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT AND IA No. 97286/2019 - EXEMPTION FROM FILING O.T.)

C.A. No. 576/2020 (III)

(IA No. 4864/2020 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT AND IA No. 4867/2020 - EXEMPTION FROM FILING O.T.)

SLP(C) No. 16000/2019 (IX)

(IA No. 84742/2019 - EXEMPTION FROM FILING O.T.)

SLP(C) No. 16021/2019 (IX)

(IA No. 92430/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT AND IA No. 92431/2019 - EXEMPTION FROM FILING O.T.)

SLP(C) No. 16023/2019 (IX)

(IA No. 92800/2019 - EXEMPTION FROM FILING O.T.)

SLP(C) No. 16020/2019 (IX)

(IA No. 91053/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT AND IA No. 55017/2021 - WITHDRAWAL OF CASE / APPLICATION)

SLP(C) No. 28867/2019 (IX)

(IA No. 177816/2019 - EXEMPTION FROM FILING O.T.)

SLP(C) No. 16770/2019 (IX)

(IA No. 93239/2019 - EXEMPTION FROM FILING O.T.)

SLP(C) No. 16766/2019 (IX)

(IA No. 97519/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED

JUDGMENT AND IA No. 97518/2019 - EXEMPTION FROM FILING O.T.)

C.A. No. 3433/2020 (III)

(IA No. 103169/2020 - APPLICATION FOR PERMISSION, IA No. 89144/2020 - EXEMPTION FROM FILING AFFIDAVIT AND IA No. 89143/2020 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

C.A. No. 1594/2023 (III)

(IA No. 18020/2021 - EXEMPTION FROM FILING AFFIDAVIT, IA No. 18017/2021 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT AND IA No. 18018/2021 - EXEMPTION FROM FILING O.T.)

Diary No(s). 9500/2021 (IX)

(IA No. 142217/2021 - CONDONATION OF DELAY IN FILING)

SLP(C) No. 13575/2021 (IX)

(IA No. 102892/2021 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT AND IA No. 102893/2021 - EXEMPTION FROM FILING O.T.)

C.A. No. 5468/2019 (III)

(IA No. 4581/2019 - EXEMPTION FROM FILING O.T.)

C.A. No. 5458/2019 (III)

(IA No. 48586/2022 - EXEMPTION FROM FILING O.T. AND IA No. 661/2019 - EXEMPTION FROM FILING O.T.)

C.A. No. 5455/2019 (III)

(IA No. 185198/2018 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT AND IA No. 185200/2018 - EXEMPTION FROM FILING O.T.)

C.A. No. 5466/2019 (III)

(IA No. 9518/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT AND IA No. 9522/2019 - EXEMPTION FROM FILING O.T.)

C.A. No. 5457/2019 (III)

(IA No. 186208/2018 - EXEMPTION FROM FILING O.T., IA No. 14634/2019 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES AND IA No. 186209/2018 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

C.A. No. 5460/2019 (III)

(IA No. 3293/2019 - EXEMPTION FROM FILING O.T.)

C.A. No. 5462/2019 (III)

(IA No. 6882/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT AND IA No. 6884/2019 - EXEMPTION FROM FILING O.T.)

C.A. No. 5465/2019 (III)

(IA No. 48560/2022 - EXEMPTION FROM FILING O.T. AND IA No. 8147/2019 - EXEMPTION FROM FILING O.T.)

C.A. No. 5463/2019 (III)

(IA No. 6987/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED

JUDGMENT AND IA No. 6990/2019 - EXEMPTION FROM FILING O.T.)

C.A. No. 5464/2019 (III)

(IA No. 7487/2019 - EXEMPTION FROM FILING O.T.)

C.A. No. 5483/2019 (III)

(IA No. 48539/2022 - EXEMPTION FROM FILING O.T., IA No. 6378/2019 - EXEMPTION FROM FILING O.T., IA No. 3691/2019 - EXEMPTION FROM FILING O.T., IA No. 6376/2019 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES AND IA No. 3689/2019 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

C.A. No. 5474/2019 (III)

(IA No. 12645/2019 - EXEMPTION FROM FILING O.T.)

C.A. No. 5476/2019 (III)

(IA No. 13472/2019 - EXEMPTION FROM FILING O.T.)

C.A. No. 1592/2023 (III)

I(A No. 78820/2019 - EXEMPTION FROM FILING O.T.)

C.A. No. 6245/2019 (III)

(IA No. 111481/2019 - EXEMPTION FROM FILING O.T.)

Diary No(s). 9502/2021 (IX)

(IA No. 145606/2021 - CONDONATION OF DELAY IN FILING)

C.A. No. 5456/2019 (III)

(IA No. 106544/2021 - APPLICATION FOR SUBSTITUTION, IA No. 186020/2018 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 186022/2018 - EXEMPTION FROM FILING O.T., IA No. 48548/2022 - EXEMPTION FROM FILING O.T., IA No. 14461/2019 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES AND IA No. 186024/2018 - PERMISSION TO FILE LENGTHY LIST OF DATES)

C.A. No. 5469/2019 (III)

(IA No. 13456/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

C.A. No. 5472/2019 (III)

(IA No. 18320/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 18318/2019 - EXEMPTION FROM FILING O.T. AND IA No. 85230/2023 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

C.A. No. 5459/2019 (III)

(IA No. 48575/2022 - EXEMPTION FROM FILING O.T., IA No. 6393/2019 - EXEMPTION FROM FILING O.T., IA No. 3087/2019 - EXEMPTION FROM FILING O.T., IA No. 6392/2019 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES AND IA No. 3084/2019 - PERMISSION TO PLACE ADDITIONAL FACTS AND GROUNDS)

C.A. No. 5461/2019 (III)

(IA No. 6391/2019 - EXEMPTION FROM FILING O.T., IA No. 6389/2019 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES AND IA No. 5117/2019 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

C.A. No. 5467/2019 (III)

(IA No. 11508/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT AND IA No. 11507/2019 - EXEMPTION FROM FILING O.T.)

C.A. No. 5488/2019 (III)

(IA No. 22756/2019 - EXEMPTION FROM FILING O.T. AND IA No. 24251/2019 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

C.A. No. 5478/2019 (III)

C.A. No. 5487/2019 (III)

C.A. No. 5481/2019 (III)

(IA No. 14414/2019 - EXEMPTION FROM FILING O.T.)

C.A. No. 5492/2019 (III)

(IA No. 21492/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

SLP(C) No. 22978/2019 (IX)

C.A. No. 5497/2019 (III)

(IA No. 25187/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 25188/2019 - EXEMPTION FROM FILING O.T. AND IA No. 25186/2019 - PERMISSION TO FILE LENGTHY LIST OF DATES)

C.A. No. 5496/2019 (III)

(IA No. 27065/2019 - EXEMPTION FROM FILING O.T. AND IA No. 27067/2019 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

C.A. No. 5509/2019 (III)

(IA No. 34217/2019 - EXEMPTION FROM FILING O.T.)

SLP(C) No. 16022/2019 (IX)

(IA No. 92526/2019 - EXEMPTION FROM FILING O.T.)

C.A. No. 5491/2019 (III)

(IA No. 16413/2019 - EXEMPTION FROM FILING O.T., IA No. 14841/2019 - EXEMPTION FROM FILING O.T. AND IA No. 16412/2019 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

C.A. No. 5490/2019 (III)

(IA No. 48580/2022 - EXEMPTION FROM FILING O.T., IA No. 16420/2019 - EXEMPTION FROM FILING O.T., IA No. 14671/2019 - EXEMPTION FROM

FILING O.T. AND IA No. 16419/2019 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

C.A. No. 5471/2019 (III)

(IA 114733/2024 FOR INTERVENTION/IMPLEADMENT AND IA 114736/2024 FOR APPROPRIATE ORDERS/DIRECTIONS)

C.A. No. 5470/2019 (III)

(IA 114657/2024 FOR INTERVENTION/IMPLEADMENT AND FOR APPROPRIATE ORDERS/DIRECTIONS ON IA 114680/2024)

C.A. No. 5482/2019 (III)

(IA No. 216970/2023 - APPLICATION FOR CONDONATION OF DELAY IN FILING THE APPLICATION FOR SETTING ASIDE THE ABATEMENT, IA No. 216968/2023 - APPLICATION FOR SUBSTITUTION, IA No. 48530/2022 - EXEMPTION FROM FILING O.T., IA No. 14042/2019 - EXEMPTION FROM FILING O.T. AND IA No. 216969/2023 - SETTING ASIDE AN ABATEMENT)

C.A. No. 5477/2019 (III)

(IA No. 14680/2019 - EXEMPTION FROM FILING O.T.)

C.A. No. 5486/2019 (III)

C.A. No. 5480/2019 (III)

C.A. No. 5475/2019 (III)

(IA No. 85387/2023 - EXEMPTION FROM FILING O.T., IA No. 13416/2019 - EXEMPTION FROM FILING O.T. AND IA No. 85386/2023 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

C.A. No. 5485/2019 (III)

(IA No. 85305/2023 - EXEMPTION FROM FILING O.T., IA No. 85303/2023 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

C.A. No. 5484/2019 (III)

(IA No. 14311/2019 - EXEMPTION FROM FILING O.T.)

C.A. No. 5479/2019 (III)

(IA No. 15189/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT AND IA No. 15192/2019 - EXEMPTION FROM FILING O.T.)

C.A. No. 5493/2019 (III)

(IA No. 21482/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

C.A. No. 5498/2019 (III)

(IA No. 30571/2019 - EXEMPTION FROM FILING O.T.)

C.A. No. 5495/2019 (III)

(IA No. 25230/2019 - EXEMPTION FROM FILING O.T. AND IA No. 25229/2019 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

C.A. No. 5494/2019 (III)

(IA No. 26528/2019 - EXEMPTION FROM FILING O.T. AND IA No. 26523/2019 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

C.A. No. 5500/2019 (III)

(IA No. 34201/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 34129/2021 - EXEMPTION FROM FILING O.T. AND IA No. 34202/2019 - EXEMPTION FROM FILING O.T.)

Diary No(s). 36721/2024 (IX)

(IA No.204771/2024-CONDONATION OF DELAY IN FILING and IA No.204772/2024-EXEMPTION FROM FILING O.T. and IA No.204770/2024-PERMISSION TO FILE PETITION (SLP/TP/WP/))

Diary No(s). 31491/2024 (IX)

(FOR ADMISSION and I.R. and IA No.213146/2024-CONDONATION OF DELAY IN FILING and IA No.213144/2024-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.213148/2024-CONDONATION OF DELAY IN REFILEING / CURING THE DEFECTS and IA No.213143/2024-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Diary No(s). 37185/2024 (IX)

(IA No.214929/2024-CONDONATION OF DELAY IN FILING and IA No.214931/2024-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.214930/2024-EXEMPTION FROM FILING O.T. and IA No.214928/2024-PERMISSION TO FILE PETITION (SLP/TP/WP/..))

Date : 27-11-2024 These matters were called on for hearing today.

CORAM :

**HON'BLE MR. JUSTICE VIKRAM NATH
HON'BLE MR. JUSTICE PRASANNA B. VARALE**

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Mr. Shaurya Gupta, Adv.**

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Mr. Adarsh Dubey, Adv.

Mr. Ravindra Sadanand Chingale, AOR
Mr. Navneet R., AOR

Ms. Gunjan Jayakar, Adv.
Mr. Miheer Jayakar, Adv.
Mr. T. V. S. Raghavendra Sreyas, AOR
Mr. Siddharth Vasudev, Adv.

Mr. Satyajit A. Desai, Adv.
Mr. Abhinav K. Mutyalwar, Adv.
Mr. Siddharth Gautam, Adv.
Mr. Sachin Singh, Adv.
Mr. Ananya Thapliyal, Adv.
Ms. Anagha S. Desai, AOR

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

The arguments of Ms. Madhavi Divan, learned senior counsel in some of the appeals have completed, we have also heard Dr. A M Singhvi, learned senior counsel in some of the appeals and the arguments of Mr. Neeraj Kishan Kaul, learned senior counsel in some of the appeals are continuing.

Put up tomorrow i.e. 28th November, 2024 at 2.00 P.M. for further arguments as PART-HEARD.

(SONIA BHASIN)
COURT MASTER (SH)

(RANJANA SHAILEY)
COURT MASTER (NSH)