

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). 3123/2020

JAISHRI LAXMANRAO PATIL

Appellant(s)

VERSUS

THE CHIEF MINISTER AND ORS.

Respondent(s)

[FOR DIRECTIONS]

[IA No. 79207/2020 - APPLICATION FOR EXEMPTION FROM FILING ORIGINAL VAKALATNAMA/OTHER DOCUMENT and IA No. 68321/2020 - APPLICATION FOR PERMISSION and IA No. 128266/2020 - APPLICATION FOR PERMISSION and IA No. 151882/2019 - APPLICATION FOR PERMISSION and IA No. 65618/2020 - APPLICATION FOR PERMISSION and IA No. 78196/2020 - APPLICATION FOR PERMISSION and IA No. 35586/2020 - APPLICATION FOR PERMISSION and IA No. 99834/2019 - APPLICATION FOR PERMISSION and IA No. 108075/2020 - APPLICATION FOR PERMISSION and IA No. 35576/2020 - APPLICATION FOR PERMISSION and IA No. 66805/2020 - APPLICATION FOR PERMISSION and IA No. 68423/2020 - APPLICATION FOR PERMISSION and IA No. 103632/2020 - APPLICATION FOR VACATION OF INTERIM ORDER and IA No. 94699/2020 - APPLICATION FOR VACATION OF INTERIM ORDER and IA No. 103624/2020 - APPLICATION FOR VACATION OF INTERIM ORDER and IA No. 90830/2020 - APPLICATION FOR VACATION OF INTERIM ORDER and IA No. 122033/2020 - APPROPRIATE ORDERS/DIRECTIONS and IA No. 79203/2020 - APPROPRIATE ORDERS/DIRECTIONS and IA No. 128263/2020 - APPROPRIATE ORDERS/DIRECTIONS and IA No. 5465/2021 - APPROPRIATE ORDERS/DIRECTIONS and IA No. 129073/2020 - APPROPRIATE ORDERS/DIRECTIONS and IA No. 7125/2021 - APPROPRIATE ORDERS/DIRECTIONS and IA No. 128272/2020 - APPROPRIATE ORDERS/DIRECTIONS and IA No. 66706/2020 - CLARIFICATION/DIRECTION and IA No. 65889/2020 - CLARIFICATION/DIRECTION and IA No. 67966/2020 - CLARIFICATION/DIRECTION and IA No. 37321/2020 - CLARIFICATION/DIRECTION and IA No. 98197/2020 - CLARIFICATION/DIRECTION and IA No. 62631/2020 - EARLY HEARING APPLICATION and IA No. 94740/2020 - EXEMPTION FROM FILING AFFIDAVIT and IA No. 66512/2020 - EXEMPTION FROM FILING AFFIDAVIT and IA No. 5514/2021 - EXEMPTION FROM FILING AFFIDAVIT and IA No. 61937/2020 - EXEMPTION FROM FILING AFFIDAVIT and IA No. 78200/2020 - EXEMPTION FROM FILING AFFIDAVIT and IA No. 128265/2020 - EXEMPTION FROM FILING AFFIDAVIT and IA No. 66440/2020 - EXEMPTION FROM FILING AFFIDAVIT and IA No. 94703/2020 - EXEMPTION FROM FILING AFFIDAVIT and IA No. 108517/2020 - EXEMPTION FROM FILING AFFIDAVIT and IA No. 5468/2021 - EXEMPTION FROM FILING AFFIDAVIT and IA No. 65593/2020 - EXEMPTION FROM FILING AFFIDAVIT and IA No. 66996/2020 - EXEMPTION FROM FILING AFFIDAVIT and IA No. 70722/2020 - EXEMPTION FROM FILING AFFIDAVIT and IA No. 61885/2020 - EXEMPTION FROM FILING AFFIDAVIT

and IA No. 127762/2020 - EXEMPTION FROM FILING AFFIDAVIT and IA No. 66435/2020 - EXEMPTION FROM FILING AFFIDAVIT and IA No. 81052/2020 - EXEMPTION FROM FILING AFFIDAVIT and IA No. 128275/2020 - EXEMPTION FROM FILING AFFIDAVIT and IA No. 108067/2020 - EXEMPTION FROM FILING AFFIDAVIT and IA No. 98899/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No. 11933/2020 - EXEMPTION FROM FILING O.T. and IA No. 94704/2020 - EXEMPTION FROM FILING O.T. and IA No. 108515/2020 - EXEMPTION FROM FILING O.T. and IA No. 7128/2021 - EXEMPTION FROM FILING O.T. and IA No. 7123/2021 - EXEMPTION FROM FILING O.T. and IA No. 122036/2020 - EXEMPTION FROM FILING O.T. and IA No. 68323/2020 - EXEMPTION FROM PAYING COURT FEE and IA No. 103633/2020 - EXEMPTION FROM PAYING COURT FEE and IA No. 65623/2020 - EXEMPTION FROM PAYING COURT FEE and IA No. 67234/2020 - EXEMPTION FROM PAYING COURT FEE and IA No. 103627/2020 - EXEMPTION FROM PAYING COURT FEE and IA No. 66808/2020 - EXEMPTION FROM PAYING COURT FEE and IA No. 68427/2020 - EXEMPTION FROM PAYING COURT FEE and IA No. 65892/2020 - EXEMPTION FROM PAYING COURT FEE and IA No. 128271/2020 - INTERVENTION APPLICATION and IA No. 62629/2020 - INTERVENTION APPLICATION and IA No. 7495/2021 - INTERVENTION APPLICATION and IA No. 61936/2020 - INTERVENTION APPLICATION and IA No. 7143/2021 - INTERVENTION APPLICATION and IA No. 61919/2020 - INTERVENTION APPLICATION and IA No. 128262/2020 - INTERVENTION APPLICATION and IA No. 110498/2019 - INTERVENTION APPLICATION and IA No. 70720/2020 - INTERVENTION APPLICATION and IA No. 65250/2020 - INTERVENTION APPLICATION and IA No. 127645/2020 - INTERVENTION APPLICATION and IA No. 81051/2020 - INTERVENTION APPLICATION and IA No. 97751/2020 - INTERVENTION APPLICATION and IA No. 7117/2021 - INTERVENTION/IMPLEADMENT and IA No. 60218/2020 - INTERVENTION/IMPLEADMENT and IA No. 122030/2020 - INTERVENTION/IMPLEADMENT and IA No. 151884/2019 - INTERVENTION/IMPLEADMENT and IA No. 39129/2020 - INTERVENTION/IMPLEADMENT and IA No. 108519/2020 - INTERVENTION/IMPLEADMENT and IA No. 5512/2021 - INTERVENTION/IMPLEADMENT and IA No. 111119/2019 - INTERVENTION/IMPLEADMENT and IA No. 35588/2020 - INTERVENTION/IMPLEADMENT and IA No. 66438/2020 - INTERVENTION/IMPLEADMENT and IA No. 65590/2020 - INTERVENTION/IMPLEADMENT and IA No. 35578/2020 - INTERVENTION/IMPLEADMENT and IA No. 61884/2020 - INTERVENTION/IMPLEADMENT and IA No. 98193/2020 - INTERVENTION/IMPLEADMENT and IA No. 61006/2020 - INTERVENTION/IMPLEADMENT and IA No. 63058/2020 - INTERVENTION/IMPLEADMENT and IA No. 66433/2020 - INTERVENTION/IMPLEADMENT and IA No. 29854/2020 - INTERVENTION/IMPLEADMENT and IA No. 60972/2020 - INTERVENTION/IMPLEADMENT and IA No. 94738/2020 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES and IA No. 66510/2020 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES and IA No. 66994/2020 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES and IA No. 7121/2021 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES and IA No. 108065/2020 - VACATING STAY and IA No. 108512/2020 - VACATING STAY)

WITH

C.A. No. 3124/2020 (III)

(FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 98599/2019 and FOR impleading party ON IA 99217/2019 and FOR INTERVENTION/IMPLEADMENT ON IA 99217/2019 and FOR impleading party ON IA 111446/2019 and FOR INTERVENTION/IMPLEADMENT ON IA 111446/2019 and FOR INTERVENTION APPLICATION ON IA 37048/2020 and FOR EXEMPTION FROM FILING O.T. ON IA 37050/2020 FOR STAY APPLICATION ON IA 48381/2020 and FOR INTERVENTION APPLICATION ON IA 58698/2020 and IA No. 98599/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No. 37050/2020 - EXEMPTION FROM FILING O.T. and IA No. 58698/2020 - INTERVENTION APPLICATION and IA No. 37048/2020 - INTERVENTION APPLICATION and IA No. 111446/2019 - INTERVENTION/IMPLEADMENT and IA No. 99217/2019 - INTERVENTION/IMPLEADMENT and IA No. 48381/2020 - STAY APPLICATION)

C.A. No. 3127/2020 (III)

(FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 99400/2019 and FOR CLARIFICATION/DIRECTION ON IA 107227/2019 and FOR EXEMPTION FROM FILING O.T. ON IA 107229/2019 and IA No. 107227/2019 - CLARIFICATION/DIRECTION and IA No. 99400/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No. 107229/2019 - EXEMPTION FROM FILING O.T.)

C.A. No. 3133/2020 (III)

(IA No.42647/2020-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.42641/2020-PERMISSION TO FILE PETITION (SLP/TP/WP/..) and IA No.42645/2020-CONDONATION OF DELAY IN REFILING / CURING THE DEFECTS)

C.A. No. 3126/2020 (III)

(FOR EXEMPTION FROM FILING O.T. ON IA 100340/2019 and FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 100341/2019 and FOR APPROPRIATE ORDERS/DIRECTIONS ON IA 128668/2020 and FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA 6869/2021 and FOR EXEMPTION FROM FILING O.T. ON IA 6877/2021 and IA No. 128668/2020 - APPROPRIATE ORDERS/DIRECTIONS and IA No. 100341/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No. 6877/2021 - EXEMPTION FROM FILING O.T. and IA No. 100340/2019 - EXEMPTION FROM FILING O.T. and IA No. 6869/2021 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

C.A. No. 3125/2020 (III)

(FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 100156/2019 and FOR STAY APPLICATION ON IA 107537/2019 and FOR impleading party ON IA 41147/2020 and FOR INTERVENTION/IMPLEADMENT ON IA 41147/2020 and FOR INTERVENTION APPLICATION ON IA 62212/2020 FOR EXEMPTION FROM FILING AFFIDAVIT ON IA 62214/2020 and IA No. 62214/2020 - EXEMPTION FROM FILING AFFIDAVIT and IA No. 100156/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No. 62212/2020 - INTERVENTION APPLICATION and IA No. 41147/2020 - INTERVENTION/IMPLEADMENT and IA No. 107537/2019 - STAY APPLICATION)

C.A. No. 3128/2020 (III)
(FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 103845/2019 and IA No. 103845/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

C.A. No. 3134/2020 (III)
(FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 109279/2019 and IA No. 109279/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

C.A. No. 3131/2020 (III)
(FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 111562/2019)

C.A. No. 3130/2020 (III)
(FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 114023/2019)

C.A. No. 3129/2020 (III)
(FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 117306/2019)

C.A. No. 3132/2020 (III)
(IA No. 13828/2020 - AMENDMENT OF APPEAL / PETITION / I.A. and IA No. 177442/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No. 177443/2019 - EXEMPTION FROM FILING O.T. and IA No. 177445/2019 - PERMISSION TO FILE LENGTHY LIST OF DATES)

W.P.(C) No. 915/2020 (X)
(FOR IA No.73605/2020-EXEMPTION FROM FILING AFFIDAVIT and IA No.73604/2020-CLARIFICATION/DIRECTION)

W.P.(C) No. 504/2020 (X)
(FOR APPROPRIATE ORDERS/DIRECTIONS ON IA 50581/2020
FOR INTERVENTION APPLICATION ON IA 59939/2020
FOR INTERVENTION APPLICATION ON IA 60825/2020
FOR impleading party ON IA 61446/2020
FOR INTERVENTION/IMPLEADMENT ON IA 61446/2020 and IA No. 50581/2020
- APPROPRIATE ORDERS/DIRECTIONS and IA No. 60825/2020 -
INTERVENTION APPLICATION and IA No. 59939/2020 - INTERVENTION
APPLICATION and IA No. 61446/2020 - INTERVENTION/IMPLEADMENT)

W.P.(C) No. 914/2020 (X)

W.P.(C) No. 938/2020 (X)

Date : 05-02-2021 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE ASHOK BHUSHAN
HON'BLE MR. JUSTICE L. NAGESWARA RAO
HON'BLE MR. JUSTICE S. ABDUL NAZEER
HON'BLE MR. JUSTICE HEMANT GUPTA
HON'BLE MR. JUSTICE S. RAVINDRA BHAT

For Appellant(s)

CA3123/20

Mr. Arvind P. Datar, Sr. Adv.
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Mr. Surutanjaya Bhardwaj, Adv.
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Mr. Prathamesh Kamat, Adv.
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CA3125/20

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Mr. Rahul Arya, Adv.
Mr. Vivek Singh, AOR
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Mr. Vinayak Bhandari, Adv.
Mr. Ashish Choudhary, Adv.
Mr. Aditya Sidhra, Adv.

Ms. Bharti Tyagi, AOR

3123/20

Dr. Gunratan Sadavarte, Adv.
Mr. Pankaj Kumar Singh, Adv.
Mr. Pawan Kumar Shukla, Adv.
Mr. Kamal Kumar Pandey, Adv.
Mr. Raj Singh Rana, AOR

CA3127/20

Mr. Govind Jee, Adv.
Mr. Krishna Kumar Singh, AOR

CA3130/20

Mr. R.F. Totala, Adv.
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Mr. Rahul Totala, Adv.
Mr. Abhishek Chauhan, Adv.
Mr. Samrudhi Bendbhar, Adv.

CA3133/2020

Mr. Sanjay V. Kharde, Adv.
Mr. Satyajeet S. Kharde, Adv.
Mr. Prashant Shantaram Chaudhari, Adv.
Ms. Sheetal Patil, Adv.
Mr. Kailas Bajirao Autade, AOR

SC15991/2019

Mr. S.B. Talekar, Adv.
Mr. Vipin Nair, AOR
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Mr. Karthik Jayashankar, Adv.
Ms. Pradyna Talekar, Adv.

	Ms. Madhavi Ayyappan, Adv.
WP504/2020 & 915/2020	Mr. Shyam Divan, Sr. Adv. Mr. Sidharth Bhatnagar, Sr. Adv. Mr. Amit Anand Tiwari, Adv. Mr. Vivek Singh, AOR Mr. Rahul Arya, Adv. Ms. Mary Mitzy, Adv. Mr. K.K. Singh, Adv.
WC938/20	Mr. Amol B. Karande, AOR Mr. Dilip B. Rode, Adv. Mr. Mahesh B. Karande, Adv. Mr. Pritam C. Rajput, Adv.
3132/20	Mr. Dilip Annasaheb Taur, AOR Mr. Rajesh Tekale, Adv. Mr. Ashish Gaikwad, Adv. Mr. Ramesh Dube Patil, Adv. Mr. Rishi Kumar Singh Gautam, AOR Mr. Siddhartha Chowdhury, AOR Mr. Samir Malik, AOR
For Respondent(s)	Mr. K. K. Venugopal, Attorney General Mr. N. Venketaraman, ASG Ms. Shraddha Deshmukh, Adv. Mr. Chinmayee Chandra, Adv. Mr. Amrish Kumar, AOR
State of Maharashtra	Mr. Mukul Rohatgi, Sr. Adv. Mr. P.S. Patwalia, Sr. Adv. Mr. V.A. Thorat, Sr. Adv. Mr. Rahul Chitnis, Adv. Mr. Sachin Patil, AOR Mr. Akshay Shinde, Adv. Mr. Vaibhav Sugdare, Adv. Mr. Aaditya A. Pande, Adv. Mr. Geo Joseph, Adv. Mr. Shekhar Jagtap, Adv. Mr. Sachin Patil, Adv.
CA3123,3133,3134 3131,3130/20 & WP 504/20	Mr. Kapil Sibal, Sr. Adv. Mr. Sudhanshu S. Choudhari, AOR Mr. Mahesh P. Shinde, Adv. Mr. Anil Golegaonkar, Adv. Mr. Rajesh Tekale, Adv. Mr. Ashish Gaikwad, Adv. Mr. Madhur Golegaonkar, Adv.

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Ms. Pallavi Bali, Adv.
Mr. Prathamesh Kamat, Adv.
Mr. Arjun A.P. Apoorva, Adv.

IA66805/20
IA68321/20

Mr. Dilip Annasaheb Taur, AOR
Mr. Rajesh Tekale, Adv.
Mr. Ashish Gaikwad, Adv.
Mr. Ramesh Dube Patil, Adv.

Wakf Board

Mr. Abdulrahiman Tamboli, Adv.
Mr. Rahul Joshi, AOR

Maharashtra State
Public Service
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Mr. Tapesk Kumar Singh, AOR
Mr. Aditya Pratap Singh, Adv.
Ms. Bhaswati Singh, Adv.

3123/20

Mr. Nishant Sharma, Adv.
Mr. Rakesh K. Sharma, AOR

Mr. Nishant Ramakantrao Katneshwarkar, AOR

Mr. Shriram P. Pingle, AOR

Ms. Anzu. K. Varkey, AOR

3123

Mr. Shivaji M. Jadhav, AOR
Mr. Brij Kishor Sah, Adv.
Mr. Aditya S. Jadhav, Adv.
Ms. Qurratulain, Adv.
Mr. Nicholas Choudhury, Adv.

Mr. Rajat Joseph, AOR

IA97751/20

Mr. Ravi Bharuka, AOR

IA110498/19

Mr. B.H. Marlapalle, Sr. Adv.
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	Ms. Astha Prasad, Adv. Ms. Ishita Farsaiya, Adv. Mr. Apoorv Shukla, Adv.
	Mr. Manu T. Ramachandran, AOR
IA81051/20	Mr. Suhaskumar Kadam, Adv. Ms. Manju Jetley, AOR
IA70720/20	Mr. Sanjay V. Kharde, Adv. Mr. Satyajeet S. Kharde, Adv. Mr. Samrat Krishnarao Shinde, AOR
CA3123/20	Mr. Amol Nirmalkumar Suryawanshi, AOR
IA127645 & 129073/20	Mr. Mareesh Pravir Sahay, AOR Mr. Roopesh Singh Bhadauria, Adv. Mr. Eccha Shukla, Adv. Ms. Awantika, Adv. Mr. Pranav P. Patil, Adv.
IA127645	Dr. Vipin Gupta, Adv. Mr. Pranav P. Patil, Adv.
I.A. 7495	Mr. V.K. Biju, AOR Mr. Amlendu Kumar Jha, Adv. Mr. Shaji George, Adv. Mr. Abhay Pratap Singh, Adv.
I.A. 7143/2021	Mr. Shreyas Gacche, Adv. Mr. Anerao Pandit, Adv. Mr. T.R.B. Sivakumar, Adv.
I.A. 61936& 61919/20	Mr. Yadav Narender Singh, AOR
I.A.61884&16096	Ms. Swati Vaibhav, AOR
I.A.61006&63058& 60972/20	Mr. Prashant Shrikant Kenjale, AOR Mr. Farrukh Rasheed, AOR

UPON hearing the counsel the Court made the following

O R D E R

We have heard learned counsel for the parties.

Learned counsel for the parties submit that the hearing in

these appeals / petitions be started with effect from 08.03.2021. Learned counsel submit that there is already consideration of starting physical hearing in the month of March, 2021 in this Court in a limited manner.

Be that as it may, the hearing in these matters will start from 08.03.2021 by physical or virtual mode.

Mr. Arvind Datar, learned senior counsel for the appellant(s) submits that common compilations are under preparation to which Mr. Mukul Rohatgi, learned senior counsel for the State of Maharashtra submits that he and Mr. Datar have already made preparation for filing common compilations which may be referred to by all counsel in hearing of these matters.

Let the common compilations are prepared and submitted by the end of this month.

Learned counsel for the parties have also requested for deciding a time schedule for the hearing.

We fix 08.03.2021, 09.03.2021 and 10.03.2021 for hearing of learned counsel for the appellant(s). Mr. Mukul Rohatgi, learned senior counsel for the State of Maharashtra, Mr. Kapil Sibal, learned senior counsel, Dr. Abhishek Manusinghvi, learned senior counsel and Mr. P.S. Patwalia, learned senior counsel appearing for respondents shall make their submissions on 12.03.2021, 15.03.2021 and 16.03.2021. On 17.03.2021, we shall hear the private respondents and intervenors. We fix 18.03.2021 for hearing the learned Attorney General and thereafter, rejoinder by the appellants.

We, thus, propose to start the hearing on 08.03.2021 and

complete by 18.03.2021.

Learned counsel for the parties are also requested to give a brief submission note by the end of this month, which will be addressed by them in the course of arguments. We make it clear that a soft copy of documents / non-Supreme Court judgments be also filed.

Hearing in these appeals / petitions will begin from 08.03.2021. List the matters on 08.03.2021. Hearing will continue from 08.03.2021 to 18.03.2021.

Mr. Tapes Singh, learned counsel for the Maharashtra Public Service Commission submits that since hearing in these appeals / petitions is starting, he does not wish to press I.A. No. 7125/2021 (Application for directions) in Civil Appeal No. 3123 of 2020 and I.A. No. 128668/2020 (Application for directions) in Civil Appeal No. 3126/2019.

I.A. No. 7125/2021 (Application for directions) in Civil Appeal No. 3123 of 2020 and I.A. No. 128668/2020 (Application for directions) in Civil Appeal No. 3126/2019 are dismissed as not pressed.

(MEENAKSHI KOHLI)
ASTT. REGISTRAR-cum-PS

(VIRENDER SINGH)
BRANCH OFFICER