

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL No.1522 OF 2017

(Arising out of SLP(C)No.24389 of 2015)

NABAM TUKI

.....APPELLANT

VERSUS

REGISTRAR GENERAL GAUHATI HIGH COURT AND ORS. ....RESPONDENTS

WITH

CIVIL APPEAL No.1523 OF 2017

(Arising out of SLP(C)No.24516 of 2015)

O R D E R

1. The application for impleadment is allowed, in terms of the prayer made.
2. We have heard learned counsel for the rival parties.
3. Leave granted.
4. There seems to be no serious dispute about the fact, that a complete and effective hearing was not afforded to the appellant, when the impugned order dated 21.08.2015 was passed by the High Court. It is in these circumstances, that the learned counsel for the appellant vehemently contends, that the impugned order be set aside, and the matter be remanded back to the High Court for re-adjudication, after affording an opportunity of hearing to all the concerned parties.

5. In view of the undisputed factual position, recorded in the preceding paragraph, we are of the view, that the impugned order deserves to be set aside. The same is accordingly hereby set aside. Writ Petition (C)No. 1267 of 2010 is ordered to be restored to the file of the High Court. The parties are directed to appear before the High Court on 21.02.2017, whereupon, the High Court shall re-adjudicate the controversy after affording an opportunity of hearing to the learned counsel for the rival parties, in consonance with law.

6. The appeals are disposed of in the above terms.

.....CJI.  
(JAGDISH SINGH KHEHAR)

.....J.  
(N.V.RAMANA)

NEW DELHI;  
FEBRUARY 6 2017.

ITEM NO.1

COURT NO.1

SECTION XIV

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

Petition(s) for Special Leave to Appeal (C) No(s).24389/2015

(Arising out of impugned final judgment and order dated 21/08/2015  
in WPC No.1267/2010 passed by the High Court of Gauhati)

NABAM TUKI

Petitioner(s)

VERSUS

REGISTRAR GENERAL GAUHATI HIGH COURT AND ORS.

Respondent(s)

(With appln.(s) for impleadment and interim relief and office  
report)

WITH

SLP(C) No.24516/2015

(With Interim Relief and Office Report)

Date : 06/02/2017 These petitions were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE N.V. RAMANA

For Petitioner(s)

Mr.K.K.Venugopal, Sr.Adv.

Mr.Ranji Thomas, Sr.Adv.

Mr. E. C. Agrawala, Adv.

Mr.G.Singh, Adv.

Ms.Charanya Lakshmikumaran, Adv.

For Respondent(s)

Mr.Ranjit Kumar, SG

Mr.Aman Sinha, Sr.Adv.

Mr.R.Balasubramanian, Adv.

Mr.S.S.Ray, Adv.

Mr.Santosh Kumar, Adv.

Mr.Prabhas Bajaj, Adv.

Mr.Akshay Amritanshu, Adv.

Mr.Mukesh Kumar Maroria, Adv.

Mr.Anil Kumar, Sr.Adv.

Mr.Gajanand Kirodiwal, Adv.

Ms. K. V. Bharathi Upadhyaya, Adv.

Mr. Aditya Singh, Adv.

Mr. Anil Shrivastav, Adv.

Mr.Rituraj Biswas, Adv.

Mr. A. Radhakrishnan, Adv.

Mr. Shree Pal Singh, Adv.

Mr. S. Rajappa, Adv.

For Intervenor

Mr. Rajiv Dalal, Adv.

Mr. Sunny Choudhary, Adv.

Mr. Anmol Chandan, Adv.

For M/s. Lex-peritia & Co., Adv.

Upon hearing the counsel the Court made the following

O R D E R

The application for impleadment is allowed, in terms of the prayer made.

Leave granted.

The appeals are disposed of in terms of the signed order.

(SATISH KUMAR YADAV)

AR-CUM-PS

(RENUKA SADANA)

ASSISTANT REGISTRAR

(Signed order is placed on the file)