

ITEM NO.1501

COURT NO.1

SECTION III-A

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).151/2007

STATE OF U.P. . & ORS.

Appellant(s)

VERSUS

M/S. LALTA PRASAD VAISH AND SONS

Respondent(s)

WITH

S.L.P.(C)...CC No. 7999/2017 (XI)

SLP(C) No. 27241/2019 (XI)

SLP(C) No. 18582/2023 (XI)

SLP(C) No. 19275/2004 (XI)

SLP(C) No. 16505/2004 (XI)

SLP(C) No. 26110/2004 (XI)

SLP(C) No. 26111/2004 (XI)

C.A. No. 580/2008 (III-A)

C.A. No. 152/2007 (III-A)

C.A. No. 153/2007 (III-A)

C.A. No. 610/2008 (III-A)

SLP(C) No. 20204/2012 (XI)

C.A. No. 6768/2014 (XI-A)

SLP(C) No. 20519/2014 (XI)

SLP(C) No. 25447/2014 (XI)

SLP(C) No. 3160/2015 (XI-A)

SLP(C) No. 4057/2015 (XI)

C.A. No. 2084/2020 (III-A)

C.A. No. 4987/2021 (III-A)

Diary No(s). 41507/2019 (XI)

SLP(C) No. 18686/2022 (XI)

Diary No(s). 7447/2023 (XI)

C.A. No. 154/2007 (III-A)

C.A. No. 671/2008 (III-A)

C.A. No. 672/2008 (III-A)

C.A. No. 688/2008 (III-A)

C.A. No. 750/2008 (III-A)

C.A. No. 5093/2011 (X)

Date : 23-10-2024 These matters were called on for pronouncement of judgment today.

For Appellant(s)

Mr. Dinesh Dwivedi, Sr. Adv..
Mr. Arvind P Datar, Sr. Adv..
Mr. Samar Vijay Singh, AOR
Dr. Sukhdev Sharma, Adv..
Mr. Rahul Unnikrishnan, Adv..
Mr. Prateek Dwivedi, Adv..
Mr. Azeem A. Dost, Adv..
Mr. Vikas Singh Jangra, Adv..
Mr. Manish Kumar, Adv..
Mr. Krishnam Mishra, Adv..
Mr. Pawan Kishore Singh, Adv..
Mr. Nishant Singh, Adv..
Mr. Varun Bhadana, Adv..
Mr. Keshav Mittal, Adv..
Mr. Amit Ojha, Adv..
Mr. Azeem A Dost, Adv..
Mr. Lokesh Kumar Bidhuri, Adv..
Ms. Sabarni Som, Adv..
Mr. Prashant Sharma, Adv..
Mr. Bhakti Vardhan Singh, Adv..
Mr. Pati Raj Yadav, Adv..
Mr. Fateh Singh, Adv..

Mr. V. Giri, Sr. Adv..
Mr. C. K. Sasi, AOR
Ms. Meena K Poullose, Adv..
Mr. Harsher Sunder, Adv..
Mr. Nihar Dharmadhikari, Adv..
Mr. Rao Vishwaja, Adv..
Mr. Rahul Narang, Adv..

Mr. Pankaj Bhagat, AOR

Mr. Akshat Kumar, AOR

For Respondent(s) Mr. R Venkatramani, Attorney General for India
Mr. Tushar Mehta, Solicitor General
Mr. Shashank Bajpai, Adv.
Ms. Sonali Jain, Adv.
Mr. Mukesh Kumar Singh, Adv.
Mr. Raman Yadav, Adv.
Mr. Kartikay Aggarwal, Adv.
Mr. Abhishek Kumar Pandey, Adv.
Mr. Chitvan Singhal, Adv.
Mrs. Ameyvikrama Thanvi, Adv.
Mr. Raj Bahadur Yadav, AOR

Mr. Tushar Mehra, Solicitor General
Ms. Sansriti Pathak, Adv.
Mr. Omar Ahmad, Adv.
Ms. Tahira Karanjawala, Adv.
Mr. Ishaan Gaur, Adv.
Mr. Vikram Shah, Adv.
Ms. Simran Jeet, Adv.
Mr. Pratibhanu Kharola, Adv.
Mr. Pratyush Shrivstava, Adv.
Ms. Astha Singh, Adv.
Mr. Tuhin Dey, Adv.
Mr. Shreyas Maheshwari, Adv.
Mr. Navanjay Mahapatra, Adv.
Mr. Aaditya Shankar Dixit, Adv.
Mr. Santosh Kumar, Adv.
Mr. Mukesh Kumar Maroria, AOR

Mr. Samar Vijay Singh, AOR
Ms. Sabarni Som, Adv.
Mr. Fateh Singh, Adv.

Mr. Ambhoj Kumar Sinha, AOR

Mr. Praveen Kumar, AOR
Ms. Sunaina Kumar, Adv.

Mr. Pradeep Kumar Dubey, AOR
Mr. Abhigya Kushwah, Adv.
Mrs. Sunita Yadav, Adv.
Mr. Vineeth S., Adv.
Mr. Ravindra Kumar Gupta, Adv.
Mr. Siddharth Rajkumar Murarka, Adv.
Mr. Rohan Rohatgi, Adv.
Mr. Akhilesh Kumar Shrivastava, Adv.
Mrs. Shubhangini Rohatgi, Adv.

Mr. Abhimanyu Bhandari, Sr. Adv.
Mr. Ejaz Maqbool, AOR
Mr. Raghavendra M. Bajaj, Adv.
Mrs. Garima Bajaj, Adv.
Ms. Akriti Chaubey, Adv.
Mr. S. Mahesh Sahasranaman, Adv.
Ms. Rooh-e-hina Dua, Adv.
Mr. Saif Zia, Adv.
Mr. Harshit Khanduja, Adv.
Mr. Sahib Kochhar, Adv.
Ms. Ritika Kohli, Adv.

Mr. Rajiv Dutta, Sr. Adv.
Mr. Sanjeev Kumar Singh, Adv.
Mr. Kumar Dushyant Singh, AOR
Mr. Shighra Kumar, Adv.
Mr. Bishm Pratap Singh, Adv.
Mr. Devansh Shekhar, Adv.
Ms. Pooja Singh, Adv.
Ms. Subasri Jaganathan, Adv.

Mr. Aakash Bajaj, Adv.
Mrs. Vanita Bhargava, Adv.
Mr. Ajay Bhargava, Adv.
Mr. Avirat Kumar, Adv.
Ms. Nandita Chauhan, Adv.
Mr. Sanjeev K.kapoor, Adv.
Ms. Tijil Thakur, Adv.
M/S. Khaitan & Co., AOR

Mr. Ajit Sharma, AOR

Mr. Abhimanyu Bhandari, Sr. Adv.
Ms. Rooh-e-hina Dua, AOR
Mr. Arav Pandit, Adv.
Mr. Harshit Khanduja, Adv.
Ms. Dhanakshi Gandhi, Adv.
Mr. Sahib Kochhar, Adv.
Mr. Ankit Khera, Adv.
Ms. Shreya Arora, Adv.

Mr. M. P. Vinod, AOR

Mr. S. Nandakumar, Sr. Adv.
Ms. Deepika Nandakumar, Adv.
Mr. Niraj Gupta, Adv.
Mr. Aakash Elango, Adv.
Mr. Naresh Kumar, AOR

Mrs. Nanita Sharma, AOR

Mr. Dhruv Agrawal, Sr. Adv.
Mr. Nishit Agrawal, AOR
Ms. Kanishka Mittal, Adv.
Ms. Upasna Agrawal, Adv.
Mr. Shrey Kapoor, Adv.
Ms. Vanya Agrawal, Adv.

Mr. Krishnamohan K., AOR
Ms. Dania Nayyar, Adv.

Mr. Praveen Chaturvedi, AOR

Mr. J.S.Attri, Sr. Adv.
Mr. Vikas Kumar Singh, Adv.
Mr. Rameshwar Prasad Goyal, AOR

Mr. Vinay Garg, AOR
Mr. Upendra Mishra, Adv.
Ms. Neetu Rawat, Adv.

Mr. Manan Verma, AOR
Ms. Madhur Panjwani, Adv.
Ms. Ayushi Hatwal, Adv.

Dr. Charu Mathur, Adv.
Mr. B.S Rajesh Agrajit, Adv.
Mr. Vishal Meghwal, Adv.
Mr. Rajesh Chand, Adv.
Mr. Vinay Kumar Ojha, Adv.
Ms. Jyoti Rana, Adv.
Ms. Priya Nagar, Adv.
Mr. Milind Kumar, AOR

Mr. Arvind Datar, Sr. Adv.
Mr. Sabarish Subramanian, AOR
Mr. C Kranthi Kumar, Adv.
Mr. Vishnu Unnikrishnan, Adv.
Mr. Danish Saifi, Adv.

Mr. Aravindh S., AOR
Ms. Tharanisri, Adv.
Mr. Akshay Gupta, Adv.

Mr. Raghvendra Kumar, AOR

Mr. Samar Vijay Singh, AOR
Ms. Sabarni Som, Adv.
Mr. Fateh Singh, Adv.

Mr. Pukhrambam Ramesh Kumar, AOR
Mr. Karun Sharma, Adv.

Ms. Rajkumari Divyasana, Adv.
Mr. R. Rajaselvan, Adv.

Mr. Abhimanyu Bhandari, Sr. Adv.
Ms. Rooh-e-hina Dua, AOR
Mr. Arav Pandit, Adv.
Mr. Harshit Khanduja, Adv.
Ms. Dhanakshi Gandhi, Adv.
Mr. Sahib Kochhar, Adv.
Mr. Ankit Khera, Adv.
Ms. Shreya Arora, Adv.

Mr. Tushar Jarwal, Adv.
Ms. Anuradha Dutt, Adv.
Mr. Rahul Sateerja, Adv.
Mr. Vikrant A Maheshwari, Adv.
Ms. B. Vijayalakshmi Menon, AOR

Mr. Praveen Chaturvedi, AOR

Mr. Saurabh Mishra, Sr. Adv.
Ms. Mrinal Gopal Elker, AOR
Mr. Saurabh Singh, Adv.

Mr. K N Balgopal, Adv. Gen/Sr. Adv.
Ms. K. Enatoli Sema, AOR
Ms. Limayinla Jamir, Adv.
Mr. Amit Kumar Singh, Adv.
Ms. Chubalemla Chang, Adv.
Mr. Prang Newmai, Adv.

Mr. Amit Kumar, Advocate General/Sr. Adv.
Mr. Avijit Mani Tripathi, AOR

Mr. Balbir Singh, Sr. Adv.
Mr. Aaditya Aniruddha Pande, AOR
Mr. Siddharth Dharmadhikari, Adv.
Mr. Bharat Bagla, Adv.
Mr. Naman Tandon, Adv.
Mr. Sourav Singh, Adv.
Mr. Aditya Krishna, Adv.
Ms. Preet S. Phanse, Adv.
Mr. Adarsh Dubey, Adv.

Mr. Aravindh S., AOR
Ms. Tharanisri, Adv.
Mr. Akshay Gupta, Adv.

Ms. Devina Sehgal, AOR

Mr. D. L. Chidananda, AOR
Ms. Pallavi Langar, AOR

Mr. Manish Kumar, AOR
Mr. Shivam Singh, Adv.
Ms. Bahuli Sharma, Adv.
Mr. Ishwar Singh, Adv.
Mr. Suyash Vyas, Adv.
Mr. Divyansh Mishra, Adv.
Mr. Amrita Jhamb, Adv.
Mr. Shubham Janghu, Adv.
Mr. Rajiv Singh, Adv.
Mr. Yoshit Jain, Adv.
Mr. Abhinav Singh, Adv.

Mr. Pashupathi Nath Razdan, AOR
Mr. Parth Awasthi, Adv.
Mr. Rushab Aggarwal, Adv.
Mr. G.M. Kawoosa, Adv.
Ms. Smriti Razdan, Adv.
Mr. Mirza Kayesh Begg, Adv.
Ms. Maitreyee Jagat Joshi, Adv.
Mr. K.P. Jayaram, Adv.
Mr. Astik Gupta, Adv.
Ms. Akanksha Tomar,, Adv.
Mr. Argha Roy, Adv.
Ms. Ojaswini Gupta,, Adv.
Ms. Ruby, Adv.

Mr. Dhananjaya Mishra, AOR
Mr. Siddhant Buxy, Adv.
Mr. Navneet Dogra, Adv.

Mr. Manish Kumar, AOR
Mr. Shivam Singh, Adv.
Ms. Bahuli Sharma, Adv.
Mr. Ishwar Singh, Adv.
Mr. Suyash Vyas, Adv.
Mr. Divyansh Mishra, Adv.
Mr. Amrita Jhamb, Adv.
Mr. Shubham Janghu, Adv.
Mr. Rajiv Singh, Adv.
Mr. Yoshit Jain, Adv.
Mr. Abhinav Singh, Adv.

Mr. Dhruv Agrawal, Sr. Adv.
Mr. Nishit Agrawal, AOR
Ms. Kanishka Mittal, Adv.
Ms. Upasna Agrawal, Adv.
Mr. Shrey Kapoor, Adv.
Ms. Vanya Agrawal, Adv.

Mr. Sameer Abhyankar, AOR

Mr. Amish Tandon, Adv.
Mr. Rahul Kumar, Adv.
Mr. Aakash Thakur, Adv.
Ms. Ayushi Bansal, Adv.
Ms. Ria Dhawan, Adv.
Ms. Charchika Yadav, Adv.
Mr. Sarthak Dora, Adv.
Ms. Vaishnavi, Adv.

Mr. Balbir Singh, Sr. Adv.
Mr. Aaditya Aniruddha Pande, AOR
Mr. Siddharth Dharmadhikari, Adv.
Mr. Bharat Bagla, Adv.
Mr. Naman Tandon, Adv.
Mr. Sourav Singh, Adv.
Mr. Aditya Krishna, Adv.
Ms. Preet S. Phanse, Adv.
Mr. Adarsh Dubey, Adv.

Mr. Ankit Roy, AOR

Mr. Abhimanyu Tewari, AOR
Mrs. Eliza Barr, Adv.
Ms. Eliza Bar, Adv.

Mr. Jatinder Kumar Bhatia, AOR

Mr. Sravan Kumar Karanam, AOR
Ms. Tayade Pranali Gowardhan, Adv.
Mr. Aniket Singh, Adv.

Mr. Jaideep Gupta, Sr. Adv.
Ms. Astha Sharma, AOR
Mr. Srisatya Mohanty, Adv.
Ms. Anju Thomas, Adv.
Mr. Sanjeev Kaushik, Adv.
Ms. Mantika Haryani, Adv.
Mr. Shreyas Awasthi, Adv.
Mr. Himanshu Chakravarty, Adv.
Mr. Ridhi Bose, Adv.
Ms. Ripul Swati Kumari, Adv.
Mr. Bhanu Mishra, Adv.
Ms. Muskan Surana, Adv.

Mr. Vivek Sharma, AOR
Dr. Vijay Kumar Sharma, Adv.

Mr. Pawanshree Agrawal, AOR

Mr. Mahfooz Ahsan Nazki, AOR

Mr. Abhimanyu Tewari, AOR
Mrs. Eliza Barr, Adv.
Ms. Eliza Bar, Adv.

Mr. Rajiv Kumar Choudhry , AOR

Mr. Kuldeep Parihar, D.A.G.
Mr. Akshat Kumar, AOR

Ms. Swati Ghildiyal, AOR
Ms. Devyani Bhatt, Adv.
Ms. Srujana Suman Mund, Adv.

Mr. Jaideep Gupta, Sr. Adv.
Ms. Astha Sharma, AOR
Mr. Srisatya Mohanty, Adv.
Ms. Anju Thomas, Adv.
Mr. Sanjeev Kaushik, Adv.
Ms. Mantika Haryani, Adv.
Mr. Shreyas Awasthi, Adv.
Mr. Himanshu Chakravarty, Adv.
Mr. Ridhi Boos, Adv.
Mr. Ridhi Bose, Adv.
Ms. Ripul Swati Kumari, Adv.
Mr. Bhanu Mishra, Adv.
Ms. Muskan Surana, Adv.

- 1 Hon'ble Dr Justice Dhananjaya Y Chandrachud, Chief Justice of India, pronounced the judgment on behalf of himself, Hon'ble Mr Justice Hrishikesh Roy, Hon'ble Mr Justice Abhay S Oka, Hon'ble Mr Justice J B Pardiwala, Hon'ble Mr Justice Manoj Misra, Hon'ble Mr Justice Ujjal Bhuyan, Hon'ble Mr Justice Satish Chandra Sharma and Hon'ble Mr Justice Augustine George Masih.
- 2 Hon'ble Mrs Justice B V Nagarathna pronounced a separate judgment.
- 3 The Reference is answered in terms of the majority opinion.
- 4 The Registry is directed to obtain administrative instructions from the Chief Justice for placing the matters before an appropriate Bench.

(SANJAY KUMAR-I)
ADDITIONAL REGISTRAR
(Two signed reportable judgments are placed on the file)

(SAROJ KUMARI GAUR)
ASSISTANT REGISTRAR