

ITEM NO.6 Court 7 (Video Conferencing) SECTION II-C

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

Petition(s) for Special Leave to Appeal (Cr1.) No(s). 2712/2020

(Arising out of impugned order dated 10-01-2020 in WPCR No. 979/2019 passed by the High Court of Chhatisgarh at Bilaspur)

BASTAR RAILWAY PRIVATE LIMITED Petitioner(s)

VERSUS

NEELIMA BELSARIA & ORS. Respondent(s)

IA No. 33517/2020 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 33518/2020 - EXEMPTION FROM FILING O.T.)

WITH

SLP(Cr1) No. 2715-2716/2020 (II-C)

IA No. 34121/2020 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 34120/2020 - EXEMPTION FROM FILING O.T.)

SLP(Cr1) No. 2717-2718/2020 (II-C)

IA No. 33891/2020 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 96961/2021 - EXEMPTION FROM FILING O.T.

IA No. 33892/2020 - EXEMPTION FROM FILING O.T.

IA No. 96964/2021 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

SLP(Cr1) No. 2713-2714/2020 (II-C)

IA No. 123208/2020 - AMENDMENT IN RECORD

IA No. 77418/2021 - EXEMPTION FROM FILING AFFIDAVIT

IA No. 32280/2020 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 77417/2021 - EXEMPTION FROM FILING O.T.

IA No. 36547/2020 - EXEMPTION FROM FILING O.T.

IA No. 32279/2020 - EXEMPTION FROM FILING O.T.

IA No. 36545/2020 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

IA No. 45947/2020 - PERMISSION TO PLACE ADDITIONAL FACTS AND GROUNDS)

Diary No(s). 15406/2020 (II-C)
 IA No. 73296/2020 - CONDONATION OF DELAY IN FILING
 IA No. 73300/2020 - EXEMPTION FROM FILING AFFIDAVIT
 IA No. 73314/2020 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
 JUDGMENT
 IA No. 73306/2020 - EXEMPTION FROM FILING O.T.
 IA No. 73292/2020 - PERMISSION TO FILE PETITION (SLP/TP/WP/..))

Date : 02-09-2021 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S. ABDUL NAZEER
 HON'BLE MR. JUSTICE KRISHNA MURARI

For Petitioner(s) Mr. Vikas Singh, Sr. Adv.
 Mr. Vaibhav Shukla, Adv.
 Mr. Chandrashekhar A. Chakalabbi, adv.
 Mr. Shiv Kumar Pandey, adv.
 Mr. Awanish Kumar, Adv.
 Mr. Anshul Rai, Adv.
 Ms. Deepika Kalia, Adv.
 M/S. Dharmaprabhas Law Associates, AOR

For Respondent(s) Mr. R. Basant, Sr. Adv.
 Mr. Siddhartha Shukla, Adv.
 Ms. Shristi Dwivedi, Adv.
 Mr. Yash Dwivedi, Adv.
 Mr. Vishnu, Adv.
 Mr. Sahil Tagotra, AOR

Mr. Krishnan Venugopal, Sr. Adv.
 Ms. Astha Sharma, AOR
 Mr. Kaushik Mishra, Adv.
 Mr. Amit Verma, Adv.
 Ms. Swati Sood, Adv.

Mr. Gopal Sankaranarayanan, Sr. Adv.
 Ms. Radhika Gautam, AOR

Mr. Ashok Basoya, AAG
 Mr. Nishanth Patil, AOR
 Mr. Vidit Monga, Adv.
 Ms. Shubhika Saluja, Adv.

Mr. K.M. Nataraj, ASG
 Mr. Ankur Talwar, adv.
 Ms. Indira Bhakar, Adv.
 Ms. Swarupama Chaturvedi, Adv.
 Mr. Sharath Nambiar, Adv.
 Mr. Amrish Kumar, AOR

Mr. Anil Kumar Sangal, AOR
Mr. Siddhargth Sangal, Adv.
Ms. Nilanjani Tandon, Adv.

Mr. Raj Bahadur Yadav, AOR

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

SLP(Cr1) No. 2712/2020

The order, granting stay of the disbursement of the awarded amount, passed by this Court on 08.06.2020 shall continue till the disposal of the pending Writ Petition before the High Court.

The High Court is requested to dispose of the Writ Petition within two months from today.

The special leave petition is disposed of accordingly. All contentions of the parties are kept open.

SLP(Cr1) Nos. 2715-2716/2020

The High Court in the last paragraph of the impugned interim order dated 16.08.2019 has observed as under:

" According the application is allowed. On interim basis, it is directed that effect and operation of the memo of respondent No.3 dated 30.07.2019 shall remain stayed until further orders, which shall be subject to confirmation after filing of detailed reply by the respondent side."

The High Court in the last paragraph of its second impugned interim order dated 10.01.2020 has observed as under:

"Interim order granted earlier shall continue till the next date of hearing."

This Court while issuing notice on 08.06.2020 had stayed the disbursement of the awarded amount.

In the facts and circumstances of the case, we are of the view that the order, granting stay of the disbursement of the awarded amount, passed by this Court on 08.06.2020 shall continue till the disposal of the pending Writ Petition before the High Court and the Writ petition itself should be disposed of at an early date.

The High Court is requested to dispose of the Writ Petition within two months from today.

The special leave petitions are disposed of accordingly. All contentions of the parties are kept open.

SLP(Crl) Nos. 2717-2718/2020

The High Court in the second last paragraph of the impugned interim order dated 28.08.2019 has observed as under:

“Accordingly, the application is allowed on interim basis and it is ordered that no coercive steps shall be taken against the petitioner, till the next date of hearing”.

The High Court in the last paragraph of its second impugned interim order dated 10.01.2020 has observed as under:

“Interim order granted earlier shall continue till the next date of hearing.”

This Court while issuing notice on 08.06.2020 had stayed the disbursement of the awarded amount.

In the facts and circumstances of the case, we are of the view that the order, granting stay of the disbursement of the awarded amount, passed by this Court on 08.06.2020 shall continue till the disposal of the pending Writ Petition before the High

Court and the Writ petition itself should be disposed of at an early date.

The High Court is requested to dispose of the Writ Petition within two months from today.

The Special Leave Petitions are disposed of accordingly. All contentions of the parties are kept open.

SLP(Cr1) No. 2713-2714/2020

The High Court in the second last paragraph of the impugned interim order dated 04.10.2019 has observed as under:

"Only on the ground of parity, the application for grant of ad-interim relief is allowed and it is ordered that no coercive steps shall be taken against the petitioner till the next date of hearing."

The High Court in the last paragraph of its second impugned interim order dated 10.01.2020 has observed as under:

"Interim order granted earlier shall continue till the next date of hearing."

This Court while issuing notice on 08.06.2020 had stayed the disbursement of the awarded amount.

In the facts and circumstances of the case, we are of the view that the order, granting stay of the disbursement of the awarded amount, passed by this Court on 08.06.2020 shall continue till the disposal of the pending Writ Petition before the High Court and the Writ petition itself should be disposed of at an early date.

The High Court is requested to dispose of the Writ Petition within two months from today.

The Special Leave Petitions are disposed of accordingly.
All contentions of the parties are kept open.

Diary No(s). 15406/2020

Permission to file special leave petitions is granted.

We are not inclined to interfere with the impugned order(s) passed by the High Court. Special Leave Petitions are dismissed.

Pending applications, if any, also stand disposed of.

(NEELAM GULATI)
ASTT. REGISTRAR-cum-PS

(KAMLESH RAWAT)
COURT MASTER (NSH)