

ITEM NO.1

COURT NO.4

SECTION XIV

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 (C) No(s). 3076-3079/2014

(Arising out of impugned final judgment and order dated 29/11/2013 in RP No. 1, 2, 3 and 4 of 2011 passed by the Krishna Water Disputes Tribunal KWDT-II)

STATE OF A.P

Petitioner(s)

VERSUS

STATE OF KARNATAKA & ORS.

Respondent(s)

WITH

SLP(C) No. 10498/2011

(With appln.(s) for stay and Office Report)

SLP(C) No. 7457-7460/2014

(With appln.(s) for exemption from filing c/c of the impugned judgment and permission to file lengthy list of dates and Office Report)

SLP(C) No. 33671/2014

(With appln.(s) for permission to file SLP and seeking permission to raise additional grounds and Office Report)

SLP(C) No. 33623-33626/2014

(With appln.(s) for permission to file SLP and seeking permission to raise additional grounds and permission to file additional documents and permission to file additional documents and Office Report)

W.P.(C) No. 545/2015

(With appln.(s) for directions and Office Report)

Date : 10/12/2015 These petitions were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE DIPAK MISRA

HON'BLE MR. JUSTICE PRAFULLA C. PANT

For Petitioner(s) Mr. A.K. Ganguli, Sr. Adv.
Mr. D. Srinivas, Adv.
Mr. Guntur Prabhakar, AOR
Mr. G. Umapathi, Adv.
Mr. G. Pramod Kumar, Adv.

Mr. F.S. Nariman, Sr. Adv.
 Mr. Anil B. Divan, Sr. Adv.
 Mr. S.S. Javali, Sr. Adv.
 Mr. M.R. Nayak, Advocate General
 Mr. Mohan V. Katarki, Adv.
 Mr. S.C. Sharma, Adv.
 Mr. V.N. Raghupathy, AOR
 Mr. Gurudatta Ankolekar, Adv.
 Mr. Ranvir Singh, Adv.

Mr. Krishnamurthi Swami, Adv.

For Respondent(s) Mr. T.R. Andhyarujina, Sr. Adv.
 Mr. D. M. Nargolkar, AOR
 Mr. Soumik Ghosal, Adv.
 Mr. Siddharth Sijoria, Adv.

Mr. Tushar Mehta, ASG
 Mr. A.K. Sanghi, Sr. Adv.
 Ms. V. Mohna, Sr. Adv.
 Ms. Kiran Bhardwaj, Adv.
 Ms. Gunwant Dara, Adv.
 Mr. S.S. Rawat, Adv.
 Mr. Mohan Prasad Gupta, Adv.
 Mr. Shadman Ali, Adv.
 Mr. Zaid Ali, Adv.
 Mr. Tamim Qadri, Adv.
 Mr. D.S. Mahra, AOR
 Mr. Wasim Quadri, Adv.

Mr. C.S. Vaidhyanathan, Sr. Adv.
 Mr. Ravindar Rao, Adv.
 Mr. Ramachandra Rao, Adv.
 Mr. Krishnamurthi Swami, AOR

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

I.A. No.1 of 2015 in WP No.545 of 2015

Mr. C.S. Vaidyanathan, learned senior counsel seeks leave of this Court to withdraw this interlocutory application.

I.A. No.1 of 2015 in Writ Petition No.545 of 2015 is dismissed as withdrawn.

SLP (C) Nos. 3076-3079, 7457-7460, 33671 and 33623-33626 of 2014, SLP(C) No. 10498 of 2011 and W.P.(C) No. 545 of 2015

The Union of India has filed an affidavit. Paragraphs 3, 4 and 5 of the affidavit read as follows :

"3. I state and submit that in respect of the complaint dated 14.07.2014 filed by the Petitioner State, it is the stand of the Union of India that the matter is already referred by it to Krishna Water Dispute Tribunal-II, vide its notification dated 15.05.2014 further vide its letter dated 23.07.2014, Union of India has also advised the Petitioner state to approach the Hon'ble Tribunal for the purpose of presenting its case before it.

4. I state and submit that in view of the re-organization of the erstwhile State of Andhra Pradesh, the Union of India vide its letter dated 25.08.2014, has also clarified that it is the Hon'ble Tribunal which would determine the respective shares of the successor State of Telangana and the residual State of Andhra Pradesh, without disturbing the project wise allocation of the other party states i.e. State of Maharashtra and State of Karnataka.

5. I further state and submit that Section 89 of the Andhra Pradesh Re-Organization Act 2014, Schedule - XI, itself stipulates that the Hon'ble Krishna Water Dispute Tribunal-II would be the competent authority to determine the share of the successor State of Andhra Pradesh, which share would be decided without disturbing the allocation already made to the other party states, namely, the State of Maharashtra and the State of Karnataka."

Be it stated that the stand put forth in the writ petition evolves a pure question of law and that is how the hearing had commenced on earlier occasions and the matter is part heard.

However, Mr. Vaidyanathan, learned senior counsel, prays for some time to equip himself with further instructions to argue the matter.

Let the matter be listed for further hearing on 13.01.2016.

The matter shall be taken up as the first case on the Board.

It is hereby made clear that no adjournment shall be granted to either of the parties.

Call on the date fixed.

(Gulshan Kumar Arora)
Court Master

(H.S. Parasher)
Court Master