

ITEM NO.301+303

COURT NO.2

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 SCivil Appeal No.2453/2007

STATE OF KARNATAKA

Appellant(s)

VERSUS

STATE OF T.NADU &amp; ORS.

Respondent(s)

(With appln. (s) for directions and taking on record the additional affidavit and taking on record additional documents and office report)

WITH C.A. No.2456/2007

(With appln.(s) for directions and modification of Court's order and intervention and permission to file additional documents and taking additional document on record and office report)

C.A. No.2454/2007

(With appln.(s) for stay and directions and office report)

CONMT. PET.(C) No.225/2013 in C.A. No.2456/2007

Date : 21/03/2017 These appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DIPAK MISRA

HON'BLE MR. JUSTICE AMITAVA ROY

HON'BLE MR. JUSTICE A.M. KHANWILKAR

For Appellant(s)      Mr. Fali S. Nariman, Sr. Adv.  
                                 Mr. S.S. Javali, Sr. Adv.  
                                 Mr. Madhusudan R. Naik, Adv. Gen.  
                                 Mr. Mohan V. Katarki, Adv.  
                                 Mr. S.C. Sharma, Adv.  
                                 Mr. V. N. Raghupathy, AOR  
                                 Mr. R.S. Ravi, Adv.  
                                 Mr. J.M. Gangadhar, Adv.  
                                 Mr. Ranvir Singh, Adv.  
                                 Mr. Abdul Azeem Kalebudde, Adv.  
                                 Mr. Brijesh Kalappa, Adv.

CA 2456/2007      Mr. B. Balaji, AOR

CA 2454/2007      Mr. G. Prakash, AOR

For Respondent(s) Mr. Pankaj Kr. Mishra, Adv.  
Mr. A. S. Bhasme, AOR

Mr. Shekhar Naphade, Sr. Adv.  
Mr. Subramonium Prasad, ASG  
Mr. G. Umapathy, Adv.  
Mr. C. Paramasivam, Adv.  
Mr. B. Balaji, AOR

Mrs. Pinky Anand, ASG  
Mr. S. Wasim A. Qadri, Adv.  
Mrs. Madhavi Diwan, Adv.  
Mr. Ajay Sharma, Adv.  
Mr. Zaid Ali, Adv.  
Ms. Snidha Mehra, Adv.  
Mr. M.K. Maroria, Adv.  
Mr. D. S. Mahra, AOR

Mr. Rajesh Mahale, AOR

Mr. Ramesh Babu M. R., AOR

Mr. V. G. Pragasam, AOR  
Mr. P.K. Manohar, Adv.  
Mr. Praburamasubramanian, Adv.

Mr. Jaideep Gupta, Sr. Adv.  
Mr. G. Prakash, AOR  
Mr. Jishnu M.L., Adv.  
Mrs. Priyanka Prakash, Adv.  
Mrs. Beena Prakash, Adv.  
Mr. Manu Srinath, Adv.

Mr. Fali S. Nariman, Sr. Adv.  
Mr. S.S. Javali, Sr. Adv.  
Mr. Madhusudan R. Naik, Adv. Gen.  
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Mr. J.M. Gangadhar, Adv.  
Mr. Ranvir Singh, Adv.  
Mr. Abdul Azeem Kalebudde, Adv.  
Mr. Brijesh Kalappa, Adv.

Ms. Aparna Bhat, AOR

Ms. Supreeta Sharanagouda, AOR

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

I.A. No.21/2014 & I.A. No...../2017 in C.A. No.2454/2007

Though these interlocutory applications filed by the State of Tamil Nadu have not been listed, they are taken on Board.

The basic prayer in these interlocutory applications is that the State of Kerala should not utilize the water more than that has been allocated to it by the award under challenge and also to stop certain constructions.

On being asked, Mr. Jaideep Gupta, learned senior counsel appearing for the State of Kerala has submitted that it has no intentions to consume more water than that has been allocated to it under the award and the constructions which are being raised or likely to be raised would be only for the purpose of utilization of the water that has been allocated. Needless to say, the present statement made by the learned senior counsel is subject to the appeal that has been filed and is pending before this Court.

At this juncture, Mr. Shekhar Naphade, learned senior counsel appearing for the State of Tamil Nadu has submitted that it would be appropriate if the State of Kerala would send a communication in this regard.

Having heard learned counsel for the State of Tamil Nadu and the State of Kerala, we think it is seemly that the State of Kerala shall send a communication within a fortnight stating what it has expressed before this Court.

The interlocutory applications stand disposed of accordingly.

Civil Appeal Nos.2453, 2456 and 2454 of 2007 & C.P.(C)  
No.225/2013 in C.A. No.2456/2007

Let the appeals along with the contempt petition be listed for final hearing on 11<sup>th</sup> July, 2017.

Learned counsel appearing for the various States assured this Court that they will complete the arguments within fifteen working days. When it is said fifteen days, it means hearing days i.e. Tuesday to Thursday.

Mr. Subhash Chandra Sharma, learned counsel assisting Mr. Fali S. Nariman, learned senior counsel appearing for the State of Karnataka has filed revised written notes of submissions. The same is taken on record. The written notes which had been filed on the earlier occasion be returned to Mr. Sharma.

The interim order passed on 4<sup>th</sup> January, 2017, to continue till the next date of hearing.

(Chetan Kumar)  
Court Master

(H.S. Parasher)  
Court Master