

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 (Civil) Nos.7366-7367/2010

(From the judgement and order dated 26/02/2010 in WP No.25910/2009 and WP No.26083/2009 of The HIGH COURT OF A.P. AT HYDERABAD)

GOVT.OF A.P.& ORS.

Petitioner(s)

VERSUS

M/S OBULAPURAM MINIG.CO.P.LTD.& ORS. ETC.

Respondent(s)

(With appln(s) for exemption from filing c/c of the impugned judgment, directions, impleadment and office report)

With Writ Petition (C) No.562 of 2009

(With appln(s) for clarification of Court's Order dated 06/05/2011, permission to file additional documents, exemption from filing O.T., impleadment, directions, vacating stay, intervention, interim directions, permission to file affidavit and modification)

Date: 04/05/2012 These Matters were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE AFTAB ALAM
HON'BLE MR. JUSTICE SWATANTER KUMAR

Mr. Shyam Divan, Sr. Adv. (A.C.)
Mr. A.D.N. Rao, Adv. (A.C.)
Mr. Siddharth Chaudhary, Adv. (A.C.)

For Petitioner(s)

In SLP 7366-67/2010:

Mr. T.V. Ratnam, Adv.

In WP 562/2009:

Mr. Prashant Bhushan, Adv.
Mr. Pranav Sachdeva, Adv.

Mr. S. Ganesh, Sr. Adv.
Mr. Syed Naqvi, Adv.
Ms. Namrata K. Sharma, Adv.
Mr. P.P. Kanwar, Adv.
Mr. Kunal Verma, Adv.

For Respondent(s)

Mr. Sridhar Potaraju, Adv.
Mr. Gaichjangrou Gongmei, Adv.

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For MoEF:

Mr. Gourab Banerjee, ASG.
Mr. Harris Beeran, Adv.
Mr. Nishanth Patil, Adv.
Mr. B.K. Prasad, Adv.

Mr. H.P. Raval, ASG.
Ms. Asha G. Nair, Adv.
Mr. Harsh Parikh, Adv.
Mr. D.S. Mahra, Adv.

Mr. Shreekant N. Terdal, Adv.

Mr. G. Umapathy, Adv.
Mr. Rakesh K. Sharma, Adv.
Mr. S. Ramasubramanian, Adv.

Mr. P.V. Dinesh, Adv.
Mr. Siddhartha, Adv.

For Karnataka:

Mr. Raju Ramachandran, Sr. Adv.
Mr. R.G. Kolle, Adv.
Ms. Anitha Shenoy, Adv.

Mr. G.N. Reddy, Adv.

Mr. Satya Siddiqui, Adv.
Mr. S.K. Mishra, Adv.
Mr. B.K. Prasad, Adv.

Mr. C.A. Sundaram, Sr. Adv. (N/P)
Mr. C.S. Vaidyanathan, Sr. Adv.
Mr. Gopal Jain, Adv.
Mr. Rajat Jariwal, Adv.
Mr. Sanjeev K. Kapoor, Adv.
for M/s. Khaitan & Co., Adv.

Mr. F.S. Nariman, Sr. Adv.
Mr. Sunil Dogra, Adv.
for M/s. Lawyers Knit and Co., Adv.

Ms. Aparna Bhat, Adv.

Mr. Krishnan Venugopal, Sr. Adv.
Mr. B.S. Iyengar, Adv.
Mr. Prashant Kumar, Adv.
for M/s. AP & J Chambers, Adv.

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Mr. C.S. Vaidyanathan, Sr. Adv.
Mr. Sanjay R. Hegde, Adv.
Mr. B.M. Rajesh, Adv.
Mr. Tenzin Tsering, Adv.
Mr. Anil Kumar Mishra-I, Adv.

Mr. Mukul Rohatgi, Sr. Adv.
Mr. D.L.N. Rao, Sr. Adv.
Mr. S.K. Kulkarni, Adv.
Mr. M. Gireesh Kumar, Adv.
Mr. Ankur S. Kulkarni, Adv.

Mr. D.L.N. Rao, Sr. Adv.
Mr. S.K. Kulkarni, Adv.
Mr. M. Gireesh Kumar, Adv.
Mr. Ankur S. Kulkarni, Adv.

Mr. Altaf Ahmed, Sr. Adv.
Mr. C. Paramasivam, Adv.
Mr. P. Ramesh, Adv.
Mr. M.P. Parthiban, Adv.
Mr. Rakesh K. Sharma, Adv.

Mr. A.K. Sharma, Adv.

For NMDC Ltd.:

Mr. Arvind Datar, Sr. Adv.
Mr. K. Raghavacharayulu, Adv.
Mr. S. Sukumaran, Adv.
Mr. Devadatt S. Kamat, Adv.
Mr. D. Julius Riamei, Adv.
Mr. Anand Sukumar, Adv.
Mr. Bhupesh Kumar Pathak, Adv.
Ms. Meera Mathur, Adv.

Mr. R.S. Suri, Sr. Adv.

Mr. N.L. Ganapathi, Adv.
Ms. Pallavi Tayal, Adv.
Mr. Zaki Ahmed Khan, Adv.

Mr. Shekhar G. Devasa, Adv.
Mr. Rohit Pandey, Adv.
Mr. D.K. Garg, Adv.

For Mysore Minerals Ltd. Mr. Balaji Srinivasan, Adv.
Mr. A.K. Vasanth, Adv.
Mr. B.M. Irishad Ahmad, Adv.
Ms. Jaikriti Jadeja, Adv.
Mr. K. Vijay Kumar, Adv.

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M/s. Suresh A. Shroff & Co., Advs.

Mr. P. Ramesh Kumar, Adv.
Mr. Ranvir Singh, Adv.

Mr. K.T.S. Tulsi, Sr. Adv.
Mr. Krishan Venugopal, Sr. Adv.
Ms. Kiran Suri, Adv.
Mr. K.N. Phanindra, Adv.
Mr. S.J. Amith, Adv.

For Sesa Goa & V.S. Lad: Ms. Kiran Suri, Adv.
Mr. K.N. Phanindra, Adv.
Mr. S.J. Amith, Adv.

Mr. G.V.R. Choudary, Adv.
Mr. K. Shivraj Choudhuri, Adv.
Mr. A. Chandra Sekhar, Adv.

Mr. Varun Kumar Chopra, Adv.

Mr. Mukul Rohatgi, Sr. Adv.
Mr. Naveen R. Nath, Adv.
Ms. Lalit Mohini Bhat, Adv.
Ms. Amrita Sharma, Adv.
Mr. Darpan K.M., Adv.

Mr. Soli J. Sorabjee, Sr. Adv. (N/P)
Mr. V. Giri, Sr. Adv.
Mr. Rajesh Mahale, Adv.
Mr. Prabhuling K. Navadgi, Adv.
Mr. Krutin Joshi, Adv.

For DMC.: Mr. Soli J. Sorabjee, Sr. Adv. (N/P)
Mr. Pallav Shisodia, Sr. Adv.
Mr. Bhargava V. Desai, Adv.
Mr. Avijit Bhushan, Adv.
Mr. S.P. Suman, Adv.

Mr. Sandeep Narain, Adv.
Ms. Shalu Lal, Adv.
for M/s. Narain & Co., Advs.

Mr. K. Dheeraj Kumar, Adv.
Mr. K. Subba Rao, Adv.
Ms. K. Radha, Adv.
Mr. A.P. Mayee, Adv.

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Mr. Snehasish Mukherjee, Adv.

In I.A. No.85/2012: Mr. Kuriakose Varghese, Adv.

Mr. Neeraj Shekhar, Adv.

Mr. Vikas Mehta, Adv.

Mr. R. Ravishankar, Adv.

Mr. Uday Joshi, Adv.

Dr. Adish C. Agrawala, Sr. Adv.

Mr. Ashwani K. Dubey, Adv.

Ms. Savitri Pandey, Adv.

Mr. T.V. Ratnam, Adv.

Mr. Munawwar Naseem, Adv.

Mr. Soli J. Sorabjee, Sr. Adv. (N/P)

Mr. Mahesh Agarwal, Adv.

Mr. Rishi Agrawala, Adv.

Mr. E.C. Agrawala, Adv.

Mr. Gaurav Goel, Adv.

Ms. Neeha Nagpal, Adv.

Mr. Anand Misra, Adv.

Mr. Shailesh Madiyal, Adv.

M/s. Parekh & Co., Adv.

Mr. C.U. Singh, Sr. Adv.

Ms. Neha Gaur, Adv.

Ms. Pallavi Tayal, Adv.

Mr. Krishan Venugopal, Sr. Adv.

Ms. Uttara Babbar, Adv.

Ms. Udaya Tiwari, Adv.

Dr. Sushil Balwada, Adv.

Mr. C.U. Singh, Sr. Adv.

Ms. Neha Gaur, Adv.

Mr. Chanchal K. Ganguli, Adv.

Ms. Shambhu Prasad Singh, Adv.

Ms. Manjula Gupta, Adv.

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UPON hearing counsel the Court made the following

O R D E R

In Re.: CEC Report dated 20th April, 2012:

We have heard Mr. V. Giri, learned senior counsel for Mr. B.S. Yeddyurappa; Vaidyanathan, learned senior counsel for Jindal Steels; and Mr. C.U. Singh, learned senior counsel for M/s. South West Mining Limited from 12.55 p.m. till 1.55 p.m.

Mr. C.S.
for M/s.

Hearing concluded.

Orders reserved.

Learned counsel undertake to give common compilation by 5.00 p.m. tomorrow, i.e., 5th May, 2012.

In Re.: CEC Report dated 27th April, 2012:

The Report of Central Empowered Committee dated 27th April, 2012, will be taken up in due course. However, in the meantime, we direct the Lokayukta, Karnataka; State of Karnataka and Customs Department to preserve documents, which are specifically referred and relatable to the CEC Report dated 27th April, 2012. The Central Empowered Committee will furnish the list of documents to the these Authorities.

In Re.: Rehabilitation and Reclamation:

In continuation of this Court's Order dated 20th April, 2012, we clarify that, with regard to the implementation of Rehabilitation and Reclamation Plan, liberty is given to the Central Empowered Committee to take all requisite necessary steps.

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In Re.: Response in I.A. No.7/2011 in W.P. (C) No.562/2009:

Having heard learned counsel on both sides, we grant the following prayer:

"(d) Alternatively to (c) above, the Manganese Ore mined by SANDUR in Mining lease Nos.2580 and 2581 be sold through e-auction but the captive consumption and supply to its subsidiary companies may be exempted from e-auction."

[T.I. Rajput]
A.R.-cum-P.S.

[Madhu Saxena]
Assistant Registrar