

ITEM NO.7+18+19

COURT NO.4

SECTION XVII

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 S

Civil Appeal Diary No(s).3744/2016

UNION OF INDIA & ORS.

Appellant(s)

VERSUS

BALBIR SINGH TURN & ANR.

Respondent(s)

WITH

C.A. D 5183/2017 (XVII)

C.A. D 5184/2017 (XVII)

C.A. D 6249/2017 (XVII)

(WITH APPLN.(S) FOR CONDONATION OF DELAY IN FILING APPEAL AND FOR STAY)

C.A. D 7888/2017 (XVII)

C.A. D 18265/2016 (XVII)

C.A. No. 244/2017 (XVII)

C.A. D 31768/2016 (XVII)

(WITH APPLN.(S) FOR STAY)

C.A. D 38019/2016 (XVII)

C.A. D 42810/2016 (XVII)

C.A. D 42879/2016 (XVII)

Diary No(s). 4546/2017 (XIV)

(WITH IA No.87159/2017-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.87160/2017-STAY APPLICATION and IA No.87155/2017-CONDONATION OF DELAY IN FILING APPEAL and IA No.87157/2017-CONDONATION OF DELAY IN REFILING and IA No.87153/2017-LEAVE TO APPEAL U/S 31(1) OF THE ARMED FORCES TRIBUNAL ACT, 2007)

Diary No(s). 11491/2017 (XVII)

(WITH APPLN.(S) FOR CONDONATION OF DELAY IN FILING APPEAL ON IA 52549/2017 AND FOR STAY ON IA 52550/2017 AND FOR LEAVE TO APPEAL U/S 31(1) OF THE ARMED FORCES TRIBUNAL ACT, 2007 ON IA 52551/2017)

Diary No(s). 11871/2017 (XVII)

(WITH APPLN.(S) FOR LEAVE TO APPEAL U/S 31(1) OF THE ARMED FORCES TRIBUNAL ACT, 2007 ON IA 39715/2017 AND FOR STAY ON IA 39718/2017)

Diary No(s). 13664/2017 (IV)

(WITH APPLN.(S) FOR CONDONATION OF DELAY IN FILING ON IA 50424/2017 AND FOR EX-PARTE STAY ON IA 50425/2017 AND FOR LEAVE TO APPEAL U/S 31(1) OF THE ARMED FORCES TRIBUNAL ACT, 2007 ON IA 50426/2017 AND FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 50427/2017)

Diary No(s). 13665/2017 (XVII)

(WITH IA No.60107/2017-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.59480/2017-CONDONATION OF DELAY IN FILING APPEAL and IA No.60108/2017-LEAVE TO APPEAL U/S 31(1) OF THE ARMED FORCES TRIBUNAL ACT, 2007 and IA No.115795/2017-impleading party)

Diary No(s). 13666/2017 (XVII)

(WITH APPLN.(S) FOR LEAVE TO APPEAL U/S 31(1) OF THE ARMED FORCES TRIBUNAL ACT, 2007 ON IA 41115/2017 AND FOR CONDONATION OF DELAY IN FILING APPEAL ON IA 41116/2017 AND FOR STAY ON IA 41118/2017 AND FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 41120/2017)

Diary No(s). 18186/2017 (XVII)

(WITH APPLN.(S) FOR CONDONATION OF DELAY IN FILING ON IA 51710/2017 AND FOR STAY ON IA 51721/2017 and IA No.107564/2017-PERMISSION TO APPEAR AND ARGUE IN PERSON)

Diary No(s). 18048/2017 (XVII)

(WITH APPLN.(S) FOR LEAVE TO APPEAL U/S 31(1) OF THE ARMED FORCES TRIBUNAL ACT, 2007 ON IA 53783/2017 AND FOR STAY APPLICATION ON IA 53785/2017)

Diary No(s). 18045/2017 (XVII)

(WITH APPLN.(S) FOR LEAVE TO APPEAL U/S 31(1) OF THE ARMED FORCES TRIBUNAL ACT, 2007 ON IA 54842/2017 AND FOR STAY ON IA 54844/2017)

Diary No(s). 18185/2017 (XVII)

(WITH APPLN.(S) FOR CONDONATION OF DELAY IN FILING ON IA 51451/2017 AND FOR STAY ON IA 51453/2017 AND FOR LEAVE TO APPEAL U/S 31(1) OF THE ARMED FORCES TRIBUNAL ACT, 2007 ON IA 51456/2017)

Diary No(s). 22593/2017 (XVII)

(WITH APPLN.(S) FOR CONDONATION OF DELAY IN FILING APPEAL ON IA 80786/2017 AND FOR STAY ON IA 80788/2017 AND FOR LEAVE TO APPEAL U/S 31(1) OF THE ARMED FORCES TRIBUNAL ACT, 2007 ON IA 80791/2017)

Diary No(s). 30116/2017 (XVII)

(WITH IA No.107197/2017-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.107188/2017-STAY APPLICATION and IA No.107186/2017-CONDONATION OF DELAY IN FILING APPEAL and IA No.107192/2017-LEAVE TO APPEAL U/S 31(1) OF THE ARMED FORCES TRIBUNAL ACT, 2007)

Diary No(s). 23164/2017 (XVII)

(WITH IA No.87030/2017-STAY APPLICATION and IA No.87028/2017-CONDONATION OF DELAY IN FILING APPEAL and IA No.87029/2017-CONDONATION OF DELAY IN REFILING and IA No.87009/2017-LEAVE TO APPEAL U/S 31(1) OF THE ARMED FORCES TRIBUNAL ACT, 2007)

Diary No(s).11493/2017 (XVII)

(WITH IA NO.56379/2017-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT AND IA NO.56377/2017-CONDONATION OF DELAY IN FILING APPEAL AND IA NO.56383/2017 - LEAVE TO APPEAL U/S 31(1) OF THE ARMED FORCES TRIBUNAL ACT, 2007)

Diary No(s).28798/2017 (XVII)

(WITH IA NO.99364/2017 - EX-PARTE STAY AND IA NO.99362/2017 - CONDONATION OF DELAY IN FILING APPEAL AND IA NO.99361/2017 - LEAVE TO APPEAL U/S 31(1) OF THE ARMED FORCES TRIBUNAL ACT, 2007)

Date : 28-11-2017 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MADAN B. LOKUR
HON'BLE MR. JUSTICE DEEPAK GUPTA

For Appellant(s) Col. R. Balasubramanian, Adv.
Mr. Tara Chandra Sharma, Adv.
Mr. R.R. Rajesh, Adv.
Mr. Rakesh Upadhyay, Adv.
Mr. Mukesh Kumar Maroria, AOR
Mr. V.R. Anumolu, Adv.
Mr. Santosh Kr. Vishwakarma, Adv.
Ms. Aarti Sharma, Adv.
Mr. Bharat Singh, Adv.
Mr. Pravesh Thakur, Adv.
Ms. Manjula Gupta, Adv.
Mr. B.V. Balram Das, Adv.

For Respondent(s) Mr. Sukhjinder Singh, Adv.
Mr. Alok Gupta, AOR

Mr. Rajiv Kumar, Adv.
Mr. Kusum Chaudhary, AOR

Mr. Prabodh Kumar, AOR

Mr. Kaustubh Anshuraj, AOR
Mr. Pankaj Mehara, Adv.
Ms. Shweta Soni, Adv.
Mr. Parmod Kali Rana, Adv.

Mr. Anand Shankar Jha, AOR
Mr. Md. Ali, Adv.

Mr. Abhishek Gautam, AOR

Mr. Abhimanue Shrestha, AOR
Mr. Pranab Prakash, Adv.

Mr. Udhav Shanker Maurya,
Respondent-in-person

Mr. Manoj Prasad, Sr. Adv.
Mr. Sant Ram, Adv.
Mr. Ashutosh Dubey, Adv.

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

Arguments heard.

Judgment reserved.

(SANJAY KUMAR-I)
AR-CUM-PS

(KAILASH CHANDER)
COURT MASTER