

SECTION-IIIB

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

CIVIL APPEAL NOS. 7823, 7825 AND 7824 OF 2014

WITH

**PETITION FOR SPECIAL LEAVE TO APPEAL (C) NOS. 19235 @ OUT OF SLP CC NO. 13744
OF 2015**

AND

SLP (C) 19230 OF 2016 @ OUT OF SLP CC NO. 13370 OF 2015

M/S BHUWALKA STEEL INDUSTRIES LTD. & ANR. ETC. ETC.

...APPELLANTS

VERSUS

UNION OF INDIA & ORS.

...RESPONDENTS

OFFICE REPORT

C.A. NOS. 7823, 7825 AND 7824 OF 2014

The matters above-mentioned were listed before the Hon'ble Court on 13th August, 2014, alongwith connected matter, when the Court was pleased to pass the following order:-

“Civil Appeal NO. 6788 OF 2003

Court Appeal is dismissed in terms of the signed order.

C.A...@ S.L.P.(C)...@CC No. 14066/2012, SLP (C) Nos. 32188-32189/2012, 32190-32191/2012, 32192-32193/2012, 32194-32195/2012, 32196-32197/2012, 32198-32199/2012, 32201-32202/20152, 32203-32204/2012, 10627-10628/2013, 3808/2014, 17220/2014 and 17219/2014

Delay condoned in SLP(C) C.C. No.14066 of 2012.

Leave granted.

Civil appeals are allowed in terms of the signed order.

Pending Interlocutory Applications, if any, shall stand disposed of.”

Review Petition (C) No. 2707 of 2015 in C.A. NOS. 7825 @ out of SLP (C) 17219 of 2014

AND Review Petition (C) No. 2706 of 2015 7824 of 2014 @ out of SLP (C) 17220 of 2014

It is submitted that Counsel for the appellant has filed Review Petition in the above mentioned matters and the same was dismissed vide Court's Order dated 06.01.2016.

“R.P.(C)No.1692/2015 in C.A.No.7823/2014 @ out of SLP (C) 3808 of 2014

It is submitted that Mr. M. P. Devanath, Advocate for the appellant has filed Review Petition for seeking review of this Court's Order dated 13th August, 2014 in Civil Appeal No. 7823 of 2014 and the same was listed before Hon'ble Court on 12th July, 2016, when the Court was pleased to pass the following order:-

“R.P.(C)No.1692/2015 in C.A.No.7823/2014

Heard learned counsel for the parties.

Learned counsel for the parties agree that order of remand passed by this Court in Civil Appeal No.7823/2014 needs to be recalled as the High Court has already examined the question of Constitutionality of Rule 5 of the Hot Re-Rolling Steel Mills Annual Capacity Determination Rules, 1997 in the impugned judgment.

We, accordingly, recall order dated 13.08.2014 and restore the appeal to its original number and direct that the same shall now be listed for hearing on merits.

S.L.P.(C)....CC No. 13744/2015 & S.L.P.(C)....CC No. 13370/2015

Permission to file special leave petitions is granted.

Interlocutory application (I.A. No.... of 2016) for direction of recall of order of this Court dated 06.01.2016 passed in R.P.(C) No.2706/2015 and R.P.(C) No.2707/2015 are taken on Board.

Learned counsel for the parties agree that since the question of Constitutionality of Rule 5 of the Hot Re-Rolling Steel Mills Annual Capacity Determination Rules, 1997 has already been examined by the High Court in the judgment impugned in C.A. NO.7824/2014 and C.A. NO.7825/2014, there is no need for remanding the matters back to the High Court.

We, accordingly, recall the order of remand dated 13.08.2014 and restore the appeals to their original numbers to be listed along with C.A. No.7823/2014.

List the appeals in due course along with connected Civil Appeal No.7823/2014.

C.A. NO. 7823 OF 2014

It is submitted that Mr. B. K. Prasad, Advocate filed vakalatnama on behalf of all the seven respondents and also filed Counter Affidavit and the same has been included in the appeal paper books. Service is complete.

Civil Appeal No. 7825 and 7824 of 2014

It is submitted that there are 9 respondents in above-mentioned matters and show cause notice has not been directed in the above-mentioned matters so far.

SLP Nos. 19230 AND 19235 of 2016

It is submitted that Hon'ble Court has on 12th July, 2016 permitted the petitioner to file SLP in both the matters.

It is further submitted that there are 9 respondents and the Hon'ble court has not directed to issue notice in both the matters

The matters above mentioned are listed before the Hon'ble Court with this office report.

DATED THIS THE 15TH DAY OF NOVEMBER, 2016.

ASSISTANT REGISTRAR

Copy To:-

Mr. M. P. Devanath, Advocate

Mr. B. K. Prasad, Advocate

ASSISTANT REGISTRAR

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