

ITEM NO.15

COURT NO.1

SECTION XVI

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.28575/2017

(Arising out of impugned final judgment and order dated 17-10-2017
in CAN No. 9837/2017 passed by the High Court at Calcutta)

UNION OF INDIA

Petitioner(s)

VERSUS

THE STATE OF WEST BENGAL & ORS.

Respondent(s)

Date : 27-11-2017 This petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE A.M. KHANWILKAR
HON'BLE DR. JUSTICE D.Y. CHANDRACHUD

For Petitioner(s) Mr. K.K. Venugopal, AG
Mr. Maninder Singh, ASG
Mr. R. Balasubramanian, Adv.
Mr. Wasim Qadri, Adv.
Mr. Prabhas Bajaj, Adv.
Mr. Santosh Kr. Vishwakarma, Adv.
Ms. Aarti Sharma, Adv.
Mr. B. V. Balaram Das, AOR

For Respondent(s) Mr. Kapil Sibal, Sr. Adv.
Mr. Rakesh Dwivedi, Sr. Adv.
Mr. Kalyan Bandopadhyay, Sr. Adv.
Mr. Raja Chatterjee, Adv.
Mr. Chanchal Kumar Ganguli, AOR

Mr. Rama Prasad Sarkar, Petitioner-in-person

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

Heard Mr. K.K. Venugopal, learned Attorney General
and Mr. Maninder Singh, learned Additional Solicitor General
for the Union of India and Mr. Kapil Sibal and Mr. Rakesh
Dwivedi, learned senior counsel for the respondent-State.

Mr. Venugopal, learned Attorney General submitted that the deployment of force is within the executive realm and the Union of India is alive to the situation.

At this juncture, Mr. Sibal and Mr. Dwivedi, learned senior counsel submitted that the Union of India has set up a Committee under the order dated 18th October, 2017.

In the course of hearing, we asked Mr. Venugopal, if, in the meantime, up to four companies are withdrawn from the Districts of Darjeeling and Kalimpong and the matter be kept to second week of January, 2018, will there be any kind of problem. Learned Attorney General submits that as the submission of his is recorded, this consent can also be recorded.

In view of the aforesaid, we permit the Union of India to withdraw up to four companies from the aforesaid Districts.

List the matter in the second week of January, 2018.

(Chetan Kumar)
Court Master

(H.S. Parasher)
Assistant Registrar