

SUPREME COURT OF INDIA

RECORD OF PROCEEDINGS

APPEALS AND WRIT PETITIONS FOR HEARING

101. C.A.No.4552/1998 M/S.SUNRISE ASSOCIATES

XVI Vs.GOV.T.OF NCT OF DELHI & ORS

(With Appl.(s) for impleading
party and impleading the
applicant with affidavit and impleading
as party respondent and with office report)

WITH

C.A.No.4553/1998 M/S.AMRIT AGENCIES (P)LTD.

XVI Vs.GOV.T.OF NCT OF DELHI & ORS

(With Office Report)

C.A.No.4554/1998 M/S.SAYAL & CO.

XVI Vs.GOV.T.OF NCT OF DELHI & ORS

(With Office Report)

C.A.No.4555/1998 M/S.K & CO.

XVI Vs.GOV.T.OF NCT OF DELHI & ORS

(With Office Report)

C.A.No.4556/1998 M/S. IQBAL CHAND KHURANA

XVI Vs.THE GOVT. OF N.C.T. OF DELHI

& ORS

(With Office Report)

C.A.No.4557/1998 M/S.M.S.ASSOCIATES

XVI Vs.GOV.T.OF N.C.T. OF DELHI & ORS

(With Office Report)

C.A.No.4913/1998 M/S.HARYANA STATE LOTTERIES

XVI Vs.GOV.T.OF N.C.T. OF DELHI & ORS

(With Office Report)

C.A.No.6256/1998 M/S.SANJAY AGENCY

XVI Vs.GOV.T.OF N.C.T. OF DELHI & ORS.

(With Office Report)

C.A.No.6257/1998 SANJAY LOTTERIES

XVI Vs.GOV.T. OF N.C.T. OF DELHI AND
ORS.

(With Office Report)

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C.A.No.6258/1998 M/S.V.KUMAR LOTTERY WALA

(REGD.) Vs. GOVT. OF N.C.T.
OF DELHI AND ORS.

(With Office Report)

C.A.No.6259/1998 M/S.DEEPAK AGENCY

Vs.GOV.T. OF NCT OF DELHI & ORS

(With Office Report)

C.A.No.6260/1998 GURU NANAK AGENCIES

Vs.GOV.T. OF N.C.T.OF DELHI

(With Office Report)

C.A.No.177/1999 M/S.SURAJ BHAN & SONS

XVI Vs.GOV.T. OF N.C.T.OF DELHI & ORS

(With Appl.(s) for Raising
additional grounds and with office report)

C.A.No.178/1999 M/S.LOTTERY CENTRE HARISH

XVI VINOD

Vs.GOV.T OF NCT OF DELHI & ORS

(With Appl.(s) for Raising
additional grounds and with office report)

WITH

C.A.No.179/1999 M/S K.KUMAR LOTTERYWALA

XVI Vs.GOV.T.OF N.C.T.OF DELHI AND

ORS.

(With Office Report)

C.A.No.2155/2000 M/S. YASHA OVERSEAS

XVI Vs.COMNR. OF SALES TAX AND ORS.

(With Appl.(s) for exemption
from filing O.T. and with office report)

SLP(C)No.2469/2000 M/S AKSHAY AGENCIES

XVI Vs.GOV.T.OF N.C.T. OF DELHI & ORS

(With Prayer for Interim
Relief and Office Report)

SLP(C)No.2473/2000 M/S .KHURANA & CO.

XVI Vs.GOV.T. OF N.C.T. OF DELHI & ORS

(With Prayer for Interim
Relief and Office Report)

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SLP(C)No.2614/2000 M/S. GURUNANAK ENTERPRISES

XVI Vs.GOV.T. OF N.C.T. OF DELHI &

ORS.

(With Prayer for Interim
Relief and Office Report)

SLP(C)No.2617/2000 M/S. RAVI AJMERA

XVI Vs.GOV.T. OF N.C.T. OF DELHI &

ORS.

(With Prayer for Interim
Relief and Office Report)

SLP(C)No.2507/2000 ANU AGENCIES

XVI Vs.GOV.T. OF N.C.T. OF DELHI &

ORS

(With Prayer for Interim
Relief and Office Report)

SLP(C)No.2841/2000 M/S. BHAGYA REKHA ENTERPRISES

XVI Vs.GOV'T. OF N.C.T. OF DELHI &
ORS.

(With Prayer for Interim
Relief and Office Report)

SLP(C)No.5225-5226/2000 M/S. P.H. JAIN

XVI Vs.GOV'T. OF N.C.T. OF DELHI &
ORS.

(With Prayer for Interim
Relief and Office Report)

SLP(C)No.5608/2000 M/S. POOJA AGENCY

XVI Vs.GOV'T. OF N.C.T. DELHI & ORS.

(With Prayer for Interim
Relief and Office Report)

SLP(C)No.11129/2000 M/S DWARKA DASS & SONS

XVI Vs.GOV'T. OF N.C.T.OF DELHI & ORS

(With Prayer for Interim
Relief and Office Report)

SLP(C)No.11768/2000 M/S AMRIT SONS LTD.

XVI Vs.GOV'T.OF N.C.T.OF DELHI & ORS

(With Prayer for Interim
Relief and Office Report)

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WITH

W.P(C)No.33/2002 DECCAN AGENCY

X Vs.STATE OF T.N. & ANR.

(With Office Report)

SLP(C)No.18466/2002 DIRECTOR, MANIPUR STATE

XVI LOTTERIES Vs. GOVT. OF N.C.T.

OF DELHI & ORS.

(With Appl.(s) for permission
to place addl. documents on
record and with office
report)

C.A.No.6893/2003 JINDAL DRUGS LTD. & ANR.

XVI Vs.STATE OF MAHARASHTRA & ANR.

(With Appl.(s) for permission
to place addl. documents on
record and with office
report)

W.P(C)No.127/2005 K.A.S.SEKAR & CO.

X Vs.THE STATE OF TAMIL NADU & ORS.

SLP(C)No.16270/2001 M/S. PHILCO EXPORTS

XVI Vs. SALES TAX OFFICER & ORS.

(With Prayer for Interim
Relief and Office Report)

WITH

SLP(C)No.6907/2002 M/S PRIMEX INTERNATIONAL

XVI Vs. STATE OF DELHI & ANR.

(With Prayer for Interim
Relief and Office Report)

SLP(C)No.17894/2002 M/S. SIMRAN INTERNATIONAL

XVI Vs. STATE OF DELHI & ANR.

(With Prayer for Interim
Relief and Office Report)

Date: 31/1/2006 These matters were called on for hearing today.

CORAM:

HON'BLE MRS. JUSTICE RUMA PAL

HON'BLE MR. JUSTICE B.N. SRIKRISHNA

HON'BLE MR. JUSTICE S.H. KAPADIA

HON'BLE MR. JUSTICE TARUN CHATTERJEE

HON'BLE MR. JUSTICE P.P. NAOLEKAR

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For Appellant (s) Mr. H.N.Salve, Sr.adv.
In CA 4552/98 Mr. Bhargava V. Desai, Adv.
Mr. S.K.Singh, Ms.M.Grover,
Ms.A.Singh, Ms. S.Parwanda,
Ms.N.Kanungo, advs.
Mr.Anil K.Kher and
Mr. Kapil Kher, advs.(1/2/2006)

For Sunrise
Associates Mr. A.K.Jain, adv.
Mr.Rajesh Jain, adv.

In CA 4556/98 Mr. Devendra Singh, Adv.
Dr. S.Balwada, Mr.H.R.Bhatia,
Mr. M.Samantaray and
Mr. Ghanshyam, advs.

In CA 2155/00 Mr. Pradeep Misra, Adv.

In CA 4557/98 Mr. Sushil Kumar Jain, Adv.

In SLP 18466/02 Mr. S.K. Bhattacharya, Adv.
Mr. L.K.Paonam, adv.

In CA 177-179/99 Mr. S.P. Sharma, Adv.
Mr. Yogesh Jogia, adv.(on 1/2/2006)
Ms. Hetu Arora, adv.
Mr. S.P.Sharma, adv.

In WP 33/02 Mr. K.V. Vijayakumar,Adv.

In CA 6893/03 Mr. Jay Savla,Adv.

In CA 4913/98 Mr Vinay Kumar Garg,Adv.

In CA 4555,6256- Mr.K.K.Venugopal ,Sr.Adv.

60/98&SLP 2469,2473 Mr. Hari Shankar K.,Adv.

2614-17,2507,2841,

5225-26 and 5608

In SLP 16270/01 Mr. Randhir Chawla,adv.(on 1/2/2006)

Mr. Padeep Tara,Ms.Renu Saigal and

Mr. Praveen Kumar,adv.

In SLP 6907,17894/02 Ms. Prasanthi Prasad,adv.

Mr. T.P.Hariprasad,adv.

Ms. Anju Bala,adv.

Mrs. Padmavathy,adv.

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In IA No.22 Mr. J.B.Ravi,adv.

Mr. Naresh Kumar,adv.

For Respondent(s) Mr. T.S.Doabia,Sr.adv.

In 4552-57,4913/98 Mr. Navin Prakash,adv.

Mr. S.W.A.Qadri,Ms.Rekha Pandey,

Mr. A.S.Rao,Mr.MPS Tomr and

Mrs Anil Katiyar,Advs.

In CA 6893/03 Mr. H.N.Salve,Sr,Adv.

Mr. A.Desai,adv.

Mr. Jay savla,adv.

Ms. Meenakshi Ogra,adv.

Ms. Reena Bagga,adv.

In CA 4552/98 Mr. K.K. Mani, Adv.
Mr. K.B. Sandeep, adv.

In 4552/98 Mr. K.V. Vijayakumar, Adv

CA 2155/00 & SLP
2469, 2473, 2614, 2617,
2507, 2841, 5225-26,
5608/00, 16270/01 Mr. D.S. Mahra, adv.

In WP33/02 Mr. T.L.V. Iyer, Sr. Adv.
for State of Mr. Subramonium Prasad, adv.
T.N. Mr. Jai Kishore, adv. (1/2/2006)
Mr. Abhay Kumar, adv.

For State of Mr. S. Ganesh, Sr. Adv. (On 1/2/2006)
Maharashtra Mr. R.K. Adsure, adv.
in 6893/03

For State of Mr. S. Karal, Sr. Adv.
Haryana in 4913/98 Mr. P.N. Misra, Sr. adv. (1/2/2006)
Mr. Ajay Siwach
Mr. P. Dahiya,
Mr. Sandeep Sharma, adv. (On 1/2/2006)
Mr. T.V. George, advs.

In 16270/2001 Mr. H.N. Salve, Sr. Adv.
Mr. Randhir Chawla, adv.
Ms. Renu Sahgal, adv.
Mr. E. Abhar, adv.

-7-

Mr. S.K. Jain, adv. (on 1/2/2006)
Mr. Pradeep Agarwal, adv.
Mr. A.P. Dhamija, adv.

Mr. Ram Niwas,adv.

Mr. H.D.Thanvi,adv.

Mr. S.Singhania,adv.

Mr. B.K.Sharma,adv.

In CA 6256-60/98 Rr-Ex-Parte

177-179/99

UPON hearing counsel the Court made the following

O R D E R

Mr. Harish N.Salve, learned senior counsel started his arguments at 10.30 a.m. and was on his legs when the Court rose for the day. The matters remained part-heard.

(SUMAN WADHWA)
SAXENA)

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Item No.101 P.H.
Sec.XVI

Ct.No.2

Date: 1/2/2006

Coram & Appearance : As on 31/1/2006

UPON hearing counsel the Court made the following

O R D E R

Mr. Harish N.Salve, learned senior counsel resumed his arguments at 10.30 a.m. and concluded at 11.05 a.m. Thereafter Mr. T.S.Doabia, learned senior counsel appearing for the NCT of Delhi started his arguments and concluded at 12.05 p.m. Thereafter Mr. S.Ganesh, learned senior counsel appearing for the State of Maharashtra argued till 3.15 p.m. Then Mr. T.L.V.Iyer, learned senior counsel appearing for the State of Tamil Nad

u started his

arguments and concluded at 3.45 p.m. Thereafter Mr.H.N.Salve,
learned senior

counsel replied for 15 minutes. Hearing concluded. Judgment reserved.

Application for impleadment is rejected.

Written submissions be filed by 3/2/2006.

(SUMAN WADHWA)

(MADHU SAXENA)

COURT MASTER

COURT MASTER