

SECTION-IX
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

INTERLOCUTORY APPLICATION NOS . 19-24

(Application for modification of Court's order dated 01.07.2015)

IN

PETITION FOR SPECIAL LEAVE TO APPEAL (CIVIL) NOS. 16923-28 OF 2015
WITH PRAYER FOR INTERIM RELIEF

AND

INTERLOCUTORY APPLICATION NO . 17 IN SLP (C) NO. 17058 OF 2015

(Application for modification of Court's order dated 01.07.2015)

IN

PETITION FOR SPECIAL LEAVE TO APPEAL (CIVIL) NOS. 17058-64 OF 2015
WITH PRAYER FOR INTERIM RELIEF

STATE OF GUJARAT AND ORS.

...PETITIONERS

-VERSUS-

BILNATH SEVA SAHKARI MANDALI LIMITED & ANR. ETC.

...RESPONDENTS

OFFICE REPORT

It is submitted for the information of the Hon'ble Court that the SLP alongwith connected matters were listed before the Hon'ble Court on 01.07.2015 when the Court was pleased to pass the following order:

"IA Nos. 13-18 of 2015 in SLP (C) Nos.
16923-16928/2015

IA Nos. 15-16 of 2015 in SLP (C) Nos.
17058-17064/2015

Heard Mr. Tushar Mehta, learned ASG, Mr. Harin Raval, learned senior counsel and Mr. A.M. Singhvi, learned senior counsel for the parties.

The main dispute is regarding the eligibility of the members of the managing committees of co-operative societies to participate in the election process of Agricultural Produce Market Committee, Junagarh. The election process is actually in progress today. There are various special leave petitions pending arising out of various Interlocutory applications passed by the High Court of Gujarat.

The basic submission of the State of Gujarat is that the High Court ought not to have interfered with the election process once the election notification was issued. More particularly, when each one of the questions which is sought to be agitated before the High Court is capable of being adjudicated by a statutory Tribunal constituted under Rule 28 of the Agricultural Produce Market Rules, 1965.

In the background of the above-mentioned facts, we deem it appropriate to direct that the members of the managing committees of the various societies who are respondents before us be permitted to vote in the election that is taking place today. However, their votes be polled separately and not be mixed up with the other votes. Such votes would be kept in separate sealed ballot boxes. The Returning Officer would be at liberty to declare the result of the election without taking into account the above-mentioned votes which are kept separately. However, such a result would be subject to the final outcome of the present litigation.

IAs stand disposed of accordingly.

List the special leave petitions in the end of September, 2015.

Liberty to file additional documents, in the meanwhile."

It is submitted for the information of the Hon'ble Court that Mr. Vikas Mehta, counsel for the respondent No. 1 in SLP (C) Nos. 16923-28 of 2015 and SLP (C) No. 17058 of 2015 has filed application for Modification of Court's order dated 01.07.2015 which are registered as I.A. Nos. 19-24 of 2015 in SLP (C) No. 16923-28 of 2015 and I.A. No. 17 in SLP (C) No. 17058 of 2015 and both the applications have been tagged with the SLP paper-books.

The applications above-mentioned were mentioned before the Hon'ble Court on 06.08.2015 when the Court was pleased to pass the following order:

"List on 14th August, 2015. In the meanwhile, rejoinder affidavit may be filed in the SLPs.

Liberty is granted to the Applicant to amend the prayer in the IAs."

It is submitted for the information of the Hon'ble Court that neither the counsel for the petitioner has filed rejoinder affidavit in the SLPs nor counsel for the applicants/respondents has amend the prayer in the applications so far.

The applications above-mentioned are listed before the Hon'ble Court with this report.

Dated this the 13th day of August, 2015.

ASSISTANT REGISTRAR

Copy to :

Ms. Hemantika Wahi, Advocate

Mr. Vikas Mehta, Advocate

Ms. Sumita Ray, Advocate

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ASSISTANT REGISTRAR