

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 770 OF 2009

SHANKAR DATTA SHUKLA & ANOTHER ... APPELLANT (s)

Versus

STATE OF MADHYA PRADESH AND OTHERS ... RESPONDENT (s)

WITH

CIVIL APPEAL NO. 4449 OF 2009

SHANKAR DATTA SHUKLA & ANOTHER ... APPELLANT (s)

Versus

STATE OF MADHYA PRADESH AND OTHERS ... RESPONDENT (s)

WITH

CIVIL APPEAL NO. 4450 OF 2009

BALENDRA BAHADUR SINGH ... APPELLANT (s)

Versus

STATE OF MADHYA PRADESH AND OTHERS ... RESPONDENT (s)

WITH

CIVIL APPEAL NOS. 3959-3961 OF 2009

VIJAY BAHADUR SINGH & OTHERS ... APPELLANT (s)

Versus

STATE OF MADHYA PRADESH AND OTHERS ... RESPONDENT (s)

: 2 :

WITH
CIVIL APPEAL NO. 4073 OF 2009

TRSI DEVI TIWARI & OTHERS ... APPELLANT (s)

Versus

STATE OF MADHYA PRADESH AND OTHERS ... RESPONDENT (s)

WITH
CIVIL APPEAL NO. 5048 OF 2009

LALMANI SINGH & ANOTHER ... APPELLANT (s)

Versus

STATE OF MADHYA PRADESH AND OTHERS ... RESPONDENT (s)

WITH
CIVIL APPEAL NO. 8139 OF 2009

VIRENDRA SINGH & OTHERS ... APPELLANT (s)

Versus

STATE OF MADHYA PRADESH AND OTHERS ... RESPONDENT (s)

WITH
CIVIL APPEAL NO. 6117 OF 2009

RAM PRATAP SINGH ... APPELLANT (s)

Versus

STATE OF MADHYA PRADESH AND OTHERS ... RESPONDENT (s)

WITH
CIVIL APPEAL NO. 6699 OF 2009

SHIV PRATAP SINGH (D) BY LRS. & ORS. ... APPELLANT (s)

Versus

STATE OF MADHYA PRADESH AND OTHERS ... RESPONDENT (s)

: 3 :

WITH
CIVIL APPEAL NO. 2575 OF 2010

SATENDRA DESIK SHARMA & ANOTHER ... APPELLANT(s)

Versus

STATE OF MADHYA PRADESH AND OTHERS ... RESPONDENT(s)

O R D E R

In the course of arguments, Mr. C.D. Singh, learned counsel for the State of Madhya Pradesh and so also Mr. S.K. Bagaria, learned senior counsel for the respondent No. 5 - *M/s. Jaiprakash Associates Limited* in Civil Appeal No. 4449 of 2009 submitted that the consent of the appellants was statutorily required before the lessee enters upon the leased area.

2. In light of the above position stated by the learned counsel for the State of Madhya Pradesh and learned senior counsel for the lessee-respondent No. 5, learned senior counsel and counsel for the

appellants submit that appeals are not required to be decided on merits and statement made by the learned counsel for the State of Madhya Pradesh and learned senior counsel for the lessee may be recorded in the form of court order.

3. We, accordingly, make it clear that lessee shall not enter upon the leased area before obtaining the consent of the appellants-bhumidars and in case consent is withheld by the Bhumiswami (appellants), the procedure shall be followed in accordance with law.

4. Civil Appeals are disposed of as above with no order as to costs.

.....CJI.
(R.M. LODHA)

.....J.
(KURIAN JOSEPH)

NEW DELHI;
SEPTEMBER 11, 2014

.....J.
(ROHINTON FALI NARIMAN)

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 No(s). 770/2009

SHANKAR DATTA SHUKLA & ANR.

Appellant(s)

VERSUS

STATE OF M.P. & ORS.

Respondent(s)

(with appln. (s) for permission to file additional documents and exemption from filing O.T. and office report)

WITH

C.A. No. 4449/2009

(With appln.(s) for change of name of respondent and Interim Relief and Office Report)

C.A. No. 4450/2009

(With appln.(s) for exemption from filing O.T. and appln.(s) for clarification and Interim Relief and Office Report)

C.A. No. 3959-3961/2009

(With appln.(s) for directions and appln.(s) for exemption from filing O.T. and appln.(s) for exemption from filing O.T. and appln.(s) for vacating stay and Interim Relief)

C.A. No. 4073/2009

(With appln.(s) for vacating stay and Interim Relief and Office Report)

C.A. No. 5048/2009

(With Interim Relief and Office Report)

C.A. No. 8139/2009

(With Office Report)

C.A. No. 6117/2009

(With Office Report)

C.A. No. 6699/2009

(With Office Report)

C.A. No. 2575/2010

(With Office Report)

Date : 11/09/2014 These appeals were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE KURIAN JOSEPH

HON'BLE MR. JUSTICE ROHINTON FALI NARIMAN

For Appellant(s)

CA 770, 4449

5048,6117, 6699

Mr. Pallav Sisodia, Sr. Adv.

Mr. Prashant Kumar, Adv.

Mr. Anurag Sharma, Adv. for

M/s. Ap & J Chambers

CA 4450 Mr. Shiv Sagar Tiwari, Adv.
3959-61, 4073, Mr. P. Tripathi, Adv.
8139, 2575

For Respondent(s)

CA 770 Mr. S.B. Upadhyay, Sr. Adv.
Mr. Pawan Upadhyay, Adv.
Mr. K.P. Pathak, Adv.
Ms. Anisha Upadhyay, Adv.
Ms. Sharmila Upadhyay, Adv.

CA 4449 Mr. S.K. Bagaria, Sr. Adv.
Mr. S.P. Singh, Adv.
Mr. P. Mishra, Adv.
Ms. Sharmila Upadhyay, Adv.

State Mr. C. D. Singh, Adv.
Ms. Sakshi Kakkar, Adv.

Ms. Sharmila Upadhyay, Adv.

Mr. Naveen Sharma, Adv.
Mr. Mishra Saurabh, Adv.

Mr. Krishna K. Shukla, Adv.
Dr. (Mrs.) Vipin Gupta, Adv.

Mr. B.S. Banthia, Adv.

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

Civil Appeals are disposed of in terms of
signed order. No costs. Pending applications, if
any, stand disposed of.

(PARDEEP KUMAR)
AR-cum-PS

(RENU DIWAN)
COURT MASTER

[SIGNED ORDER IS PLACED ON THE FILE]