SLP 7716/10

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

I.A. NO.5 OF 2010

IN

SPECIAL LEAVE PETITION (CIVIL) NO.7716 OF 2010

STATE OF RAJASTHAN & ANR. Petitioner(s)

VERSUS

BAJRANG LAL SHARMA & ORS. Respondent(s)

WITH

CONTEMPT PETITION (C) NO.313 OF 2010

IN

S.L.P. (C) NO.7716 OF 2010

O R D E R

Aggrieved by the judgment and order dated 5th February, 2010, passed by the Jaipur Bench of the Rajasthan High Court in D.B. Civil Special Appeal (Writ) No.618 of 2009,filed by the State of Rajasthan and another against Bajrang Lal Sharma and others and other connected civil appeals, the State of Rajasthan filed S.L.P. (C) Nos.7716, 7717, 7826 and 7838 of 2010. S.L.P. (C) No.6385 of 2010, was filed by Suraj Bhan Meena and another against the same judgment. The matter was heard and thereafter judgment was reserved on 4th August,2010. Subsequently, while the matter was still pending, the present I.A. No.5 of 2010, was filed by the State of Rajasthan on account of the fact that contempt proceedings had been taken by the writ petitioners before the High Court against the State of SLP 7716/10

Rajasthan and its officers. The said application came up for consideration on 16th November, 2010, and was adjourned till 25th November,2010,and the contempt proceedings, pending before the High Court,were directed to remain stayed till then. The stay was extended from time to time and ultimately on 7th December, 2010, judgment was delivered in the five special leave petitions filed by the State of Rajasthan and the said Suraj Bhan Meena and another.

As it stands today, with the special leave petitions having been disposed of, there is no pending lis between the parties in this Court. Only I.A. No.5 of 2010, which we are hearing today, remains to be disposed of.

We have heard Dr. Manish Singhvi, Additional Advocate General for the State of Rajasthan. He has submitted that pursuant to the directions given in M. Nagaraj's case and subsequently in these cases, the State of Rajasthan has set up a Committee to give effect to the directions contained in the decision in M. Nagaraj's case. According to him, the Committee will be submitting its report very shortly and he has, therefore,prayed that these proceedings may be adjourned for some time to enable the Committee to submit its report.

Mr. M.L. Lahoty, learned counsel appearing for the respondents, on the other hand, submits that the formation of the Committee and its findings can only have prospective operation and cannot affect the case of the writ petitioners, Suraj Bhan Meena and others.

Notwithstanding the fact that a Committee has been appointed to go into the question of obtaining quantifiable data, as directed in M. Nagaraj's case, we see no connection between the formation of the said Committee and these proceedings, which have already came to an end. The interlocutory application, which we are hearing today was filed at a time when the matter was still pending.Since in the instant case judgment has been delivered and the special leave petitions have been dismissed, even I.A. No.5 of 2010,does not survive. Accordingly, without making any further observations in the matter and having recorded Dr. Manish Singhvi's submissions, as indicated above, we dismiss I.A. No.5 of 2010. I.A. No.8 of 2011, is also dismissed as not pressed. Consequently, all interim orders are also vacated.

The parties will be free to make their submissions with regard to the action taken by the State Government in the matter pending before the High Court.

Having regard to the order passed today, the contempt petition filed by the writ petitioners in this Court, being Contempt Petition (Civil) No.313 of 2010, is dismissed as not pressed. All other interlocutory applications are also disposed of.

......................J.

(ALTAMAS KABIR)

......................J.

(A.K. PATNAIK)

New Delhi;

July 20, 2011.

SLP 7716/10

ITEM NO.301 COURT NO.2 SECTION XV

S U P R E M E C O U R T O F I N D I A

RECORD OF PROCEEDINGS

I.A. NO.5 OF 2010 IN

Petition(s) for Special Leave to Appeal (Civil) No(s).7716/2010

(From the judgement and order dated 05/02/2010 in BCWP No. 8104/2008

of The HIGH COURT OF RAJASTHAN AT JAIPUR)

STATE OF RAJASTHAN & ANR. Petitioner(s)

VERSUS

BAJRANG LAL SHARMA & ORS. Respondent(s)

(With appln(s) for AD-INTERIM EX-PARTE STAY OF CONTEMPT PROCEEDINGS

and office report)

WITH Contempt Petition (C) NO.313 OF 2010 IN S.L.P. (C) NO.7716/2010

Date: 20/07/2011 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ALTAMAS KABIR

HON'BLE MR. JUSTICE A.K. PATNAIK

For Petitioner(s) Dr. Manish Singhvi, AAG

Mr. R. Gopalakrishnan, Adv.

Mr. Vijay Verma, Adv.

For Respondent(s) Mr. M.L. Lahoty, Adv.

Mr. Sobhit Tiwari, Adv.

Mr. Lal Pratap Singh, Adv.

Mr. Ram Niwas, Adv.

Mr. Pabam K. Sharma, Adv.

Mrs. Gargi B. Bharati, Adv.

Mr. Sukumar Agarwal, Adv.

Ms. N. Annapoorani, Adv.

Mr. Rajesh Kumar, Adv.

Ms. Binu Tamta, Adv.

Mr. Mukul Kumar, Adv.

UPON hearing counsel the Court made the following

O R D E R

I.A. No.5 of 2010, I.A. No.8 of 2011 in S.L.P. (C)

No.7716 of 2010 and Contempt Petition (C) No.313 of 2010 in

S.L.P. (C) No.7716 of 2010, are dismissed in terms of the

signed order.

(Chetan Kumar) (Juginder Kaur)

Court Master Assistant Registrar

(Signed order is placed on file)