

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

Civil Appeal No(s). 5978/2021

UNION OF INDIA & ORS.

Appellant(s)

VERSUS

AAP AND COMPANY

Respondent(s)

O R D E R

This appeal takes exception to the judgment and order dated 24.6.2019 passed by the High Court of Gujarat at Ahmedabad in Special Civil Application No.18962 of 2018.

This judgment has been expressly overruled by a three-Judge Bench decision of this Court in Civil Appeal No.6520 of 2021 titled Union of India vs. Bharti Airtel Ltd. & Ors., reported in (2021) 13 SCALE 301.

Learned counsel for the respondent was at pains to persuade us that the three-Judge Bench judgment can be distinguished, without realising that the three-Judge Bench judgment expressly overrules the impugned judgment. In such a case, the argument of distinguishing the three-Judge Bench judgment is not available.

The note submitted by the respondent is taken on

record only to be rejected.

The appeal succeeds on the same terms as in Civil Appeal No.6520 of 2021 titled Union of India vs. Bharti Airtel Ltd. & Ors., reported in (2021) 13 SCALE 301.

The civil appeal is disposed of in the above terms.

Pending applications, if any, stand disposed of.

.....,J.
(A.M. KHANWILKAR)

.....,J.
(C.T. RAVIKUMAR)

NEW DELHI;
December 10, 2021.

ITEM NO.28 Court 3 (Video Conferencing) SECTION III

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

Civil Appeal No(s). 5978/2021

UNION OF INDIA & ORS.

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VERSUS

AAP AND COMPANY

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Date : 10-12-2021 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.M. KHANWILKAR
HON'BLE MR. JUSTICE C.T. RAVIKUMAR

For Appellant(s) Mr. Aman Lekhi, ASG
 Mr. M.K.Maroria, AOR
 Ms. Praveena Gautam, Adv
 Ms. Nisha Bagchi, Adv
 Mr. Neela Kedar Gokhale, Adv
 Ms. Preeti Rani, Adv

For Respondent(s) Mr. Devendra Singh, AOR

 Mr. Dr. Avinash Poddar, Adv
 Mr. Ashok Sikka, Adv, Adv.
 Mr. Arvind Kumar, Adv.
 Mr. Prahlad Narayan Singh, Adv.
 Ms. Vivek Mishra, Adv.
 Ms. Mansha Shukla, Adv.
 Mr. Sameer Singh, Adv.
 Ms. Neelam Singh, AOR

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

Leave granted.

The civil appeal is disposed of in terms of the signed order.

Pending applications, if any, stand disposed of.

(DEEPAK SINGH)
COURT MASTER (SH)

(VIDYA NEGI)
COURT MASTER (NSH)

[Signed order is placed on the file]

