

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

SPECIAL LEAVE PETITION (CIVIL)..... Diary No(s).28879/2023

(Arising out of impugned final judgment and order dated 16-12-2022 in PIL No.14/2022, 12-06-2023 in MC(PIL) No.4/2023 passed by the High Court Of Meghalaya At Shilong)

M/S KARMELA COKE INDUSTRIES & ORS.

Petitioner(s)

VERSUS

STATE OF MEGHALAYA & ORS.

Respondent(s)

(IA No.149049/2023 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No.149048/2023 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, IA No.149047/2023 - PERMISSION TO FILE PETITION (SLP/TP/WP/..), 153169/2023 - APPLICATION FOR DELAY)

WITH

Diary No(s).30961/2023 (XIV)

(FOR ADMISSION and I.R. and IA No.150397/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.150396/2023-PERMISSION TO FILE PETITION (SLP/TP/WP/..))

Date : 07-08-2023 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SURYA KANT
HON'BLE MR. JUSTICE DIPANKAR DATTA

For Petitioner(s)

Mr. Atmaram Nadkarni, Sr. Adv.
Mr. Siddharth Luthra, Sr. Adv.
Mr. Siddharth Agarwal, Sr. Adv.
Ms. Bansuri Swaraj, Adv.
Mr. Sudesh Kotwal, Adv.
Ms. Bani Dikshit, Adv.
Mr. Samar Vijay Singh, AOR
Mr. Gautam Sharma, Adv.
Mr. Keshav Mittal, Adv.
Ms. Ana Upadhyay, Adv.
Mr. Manya Hasija, Adv.
Mr. Tejasvi Gupta, Adv.
Mr. Pawan Upadhyay, Adv.
Mr. Siddhant Gupta, Adv.
Mr. Anmol Khera, Adv.
Mr. Kumarbkashyap, Adv.
Ms. Kaisee, Adv.
Ms. Arshiya Gosh, Adv.

Ms. Sabarni Som, Adv.
Mr. Uddhav Khanna, Adv.

For Respondent(s)

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

Diary No.28879/2023

1. Permission to file special leave petitions is granted.
2. Delay condoned.
3. Issue notice, returnable on 22.09.2023.
4. Tag with WP(C) No.720/2023.
5. Meanwhile, demolition of coke plants, as directed by the Deputy Commissioner, West Khasi Hills District shall remain stayed. However, the said Deputy Commissioner shall be at liberty to seal the coke plants' premises which shall remain non-operational.

Diary No.30961/2023

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3. Tag with WP(C) No.720/2023.
4. Meanwhile, demolition of coke plants, as directed by the Deputy Commissioner, West Khasi Hills District shall remain stayed. However, the said Deputy Commissioner shall be at liberty to seal the coke plants' premises which shall remain non-operational.
5. As regard to the prayer for anticipatory bail in FIR No.39 (12) of 2022 dated 17.12.2022 registered with Shallang Police Station, Meghalaya, we are of the considered view that the petitioners should firstly approach the Full Bench of the High Court of Meghalaya, under Section 438 of the Code of Criminal Procedure along with all the documents which they are relied upon

before us. With a view to enable the petitioners to approach the High Court for grant of anticipatory bail, it is directed that the arrest of the petitioners shall remain stayed as an interim measure for a period of two weeks subject to their joining and fully cooperating with the ongoing investigation in the above-stated case.

(ARJUN BISHT)
COURT MASTER (SH)

(PREETHI T.C.)
COURT MASTER (NSH)