

ITEM NO.22

COURT NO.2

SECTION XVI-A

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

MISCELLANEOUS APPLICATION Diary No(s). 33859/2022 in
T.P.(C) No. No. 2419/2019

M/S PLR PROJECTS PVT. LTD.

Petitioner(s)

VERSUS

MAHANADI COALFIELDS LIMITED & ORS.

Respondent(s)

IA No. 159953/2022 - CLARIFICATION/DIRECTION)

Date : 12-12-2022 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
HON'BLE MR. JUSTICE ABHAY S. OKA

| | |
|-------------------|---|
| For Petitioner(s) | Mr. Arvind P. Datar, Sr. Adv. Mr. Sibho Sankar Mishra, AOR Mr. Niranjan Sahu, Adv. Mr. Debabrata Dash, Adv. Ms. Apoorva Sharma, Adv. Mr. Kaushik Poddar, AOR |
| For Respondent(s) | Mr. Ashok Kumar Panda, Sr. Adv. Mr. Manoranjan Paikaray, Adv. Mr. Shashwat Panda, Adv. Mr. Aniruddha Purushotham, Adv. Mr. Tejaswi Kumar Pradhan, AOR |
| SCBA | Mr. Vikas Singh, Sr. Adv. |
| State | Mr. Shibashish Misra, AOR Mr. V.N. Raghupathy, AOR Mr. Gautam Narayan, AOR Mr. Himanshu Shekhar, AOR Mr. Parth Shekhar, Adv. Mr. Shubham Singh, Adv. |
| P& B High Court | Ms. K. Enatoli Sema, AOR Ms. Chubalemla Chang, Adv. |

Mr. Arjun Garg, AOR

Rajasthan H.C. Mr. Gopal Jha, AOR
Mr. Akhilesh Kuamr Pandey, Adv.

Mr. Abhimanyu Tewari, AOR
Ms. Eliza Bar, Adv.

Ms. Sneha Kalita, AOR

Mr. Kedar Nath Tripathy, AOR

Calcutta H.C. Mr. Kunal Chatterji, AOR
Ms. Maitrayee Banerjee, adv.
Mr. Rohit Bansal, Adv.
Ms. Kshitij Singh, Adv.

Mr. Dhananjai Jain, AOR

Ms. Preetika Dwivedi, AOR

Mr. Shantanu Sagar, AOR
Mr. Shashank Shukla, Adv.
Mr. Anil Kumar, Adv.
Mr. Sidharth Sarthi, Adv.
Mr. Shashwat Anand, Adv.
Mr. Gunjesh Ranjan, Adv.

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

A disturbing picture has been presented before us on the basis of the affidavit filed by the Registrar General of the High Court disrupting court proceedings in the District Courts. The concerned videos have also been shown to us. The position as on date at 12.30 p.m. is also placed before us which reads as under :

"Sambalpur Incident dated 12.12.2022

Sequences

1. The Bhubaneswar Bar Associations call

for support to observe Satyagraha on
12.12.2022

2. District Judge, Sambalpur anticipating untoward situation discussed with the S.P. and collector on 11.12.2022.

3. After a detail discussion today morning the District Judge and other Judicial Officers of the Sambalpur headquarters entered inside the Court premises before 10 am.

4. Lawyers and public gather in front of the Court gate and pelted stone to the Court building thereby damaging the Court property and forcibly entered inside the Court premises.

5. Police personnel present there did not take proper action.

6. Anticipating danger to the lives and property of the Judicial Officers and Court, the door was bolted from inside in the chamber of the District Judge. However, lawyers and other public forcibly entered inside the Court premises and the chamber of the district judge in presence of police and threw the chairs, damaged the computers and misbehaved the District Judge and also the other Judicial Officers

present in the chamber.

7. The District Judge and other Judicial Officers could not be escorted out with lot of difficulties, however, they are scared of the incidents due to ransacking of the properties of the Court building including threat to the lives of the Judicial Officers and staff.

8. The Judicial Officers present in other chambers were also similarly threatened and forced to come out of their chambers.

9. Registrar General immediately after ascertaining the status informed the Director General of Police, Odisha over phone and also sent Whatsapp messages informing law and order situation.

10. The incidents were covered live by the Local electronic News channels viz. OTV, Argus News and others.

11. The Director General of Police, Odisha, the Principal Secretary, Home Department were also asked to take appropriate action against the persons involved with immediate effect.

12. The video footages of the incidents have been shared with the Director General of Police for immediate action."

We will not countenance the position. We have said so. We consider this a failure of the police also not to have taken action and taken the concerned disruptive lawyers into custody who must be prosecuted in accordance with law. The peace must be restored at all costs.

The State of Odisha to state before us as to what steps are they going to take so that no disruption of any Court process takes place, nor is agitation permissible within a certain specified periphery of each Court building.

Since the Advocate General is stated to be travelling, request is made to take up the matter day after.

We ask the Director General of Police and Inspector General, Sambalpur to appear before this Court personally through video conferencing to set out what steps they have taken.

We would also like to be informed by the Registrar as to what are the Courts which are functioning as all matters, in Districts which are disrupting the work, would stand transferred to the Districts adjacent where work is going on.

Lawyers, as stated before, have lost their privilege by this behaviour and the police is expected to take strictest of action.

We expect the Bar Council of India also to be

represented before us to explain as to what extent the licences have been suspended of the concerned lawyers leading the agitation.

List on 14.12.2022.

[CHARANJEET KAUR]
ASTT. REGISTRAR-cum-PS

[POONAM VAID]
COURT MASTER (NSH)