

IN THE SUPREME COURT OF INDIA  
CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION [C] NO.170/2011

UNION OF INDIA

.....PETITIONER

VERSUS

DOW CHEMICAL COMPANY & ORS.

....RESPONDENT

O R D E R

I.A NO. 3/2011-APPLICATION FOR INTERVENTION &  
I.A NO. 4/2011-APPLICATION FOR IMPEADMENT

Dismissed.

TRANSFER PETITION [C] NO.170/2011

We are not inclined to entertain the Transfer Petition.

The Transfer Petition is accordingly dismissed.

Pending application(s) stand(s) disposed of.

.....J.  
[SANJAY KISHAN KAUL]

.....J.  
[SANJIV KHANNA]

.....J.  
[ABHAY S. OKA]

.....J.  
[VIKRAM NATH]

.....J.  
[J.K. MAHESHWARI]

NEW DELHI;  
JANUARY 12, 2023.

ITEM NO.501

COURT NO.2

SECTION IV-C

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

CURATIVE PET(C) No. 345-347/2010 In R.P.(C) No. 229/1989 & 623-624/1989 In C.A. No. 3187-3188/1988 and SLP (C) No. 13080/1988

UNION OF INDIA . &amp; ORS.

Petitioner(s)

VERSUS

M/S. UNION CARBIDE CORPORATION &amp; ORS.

Respondent(s)

([ PART-HEARD BY : HON'BLE SANJAY KISHAN KAUL, HON'BLE SANJIV KHANNA, HON'BLE ABHAY S. OKA, HON'BLE VIKRAM NATH AND HON'BLE J.K. MAHESHWARI, JJ. ]

(INTERLOCUTORY APPLICATION NOS. 1-3  
(Applications for exemption from filing Certified copies of  
impugned Judgment & Orders)

INTERLOCUTORY APPLICATION NOS. 4-6  
(Applications for permission to raise Additional ground)

INTERLOCUTORY APPLICATION NOS. 10-12  
(Applications for Directions by Mr. Aparna Bhat)

INTERLOCUTORY APPLICATION NOS. 13-15  
(Applications for Intervention by Mr. C.D. Singh)

INTERLOCUTORY APPLICATION NOS. 19-21  
(Applications for directions by Ms. S.C. Patodia)

INTERLOCUTORY APPLICATION NOS. 22-24  
(Applications for Impleadment filed by Ms. Anitha shenoy)

INTERLOCUTORY APPLICATION NOS. 25-27  
(Applications for permission to file new documents and  
incorporation of new facts with affidavit by M/s O.P. Khaitan &  
Co.)

INTERLOCUTORY APPLICATION NOS. 28-30  
(Applications for permission to file Additional document by Ms.  
S.C. Patodia)

INTERLOCUTORY APPLICATION NOS. 34-36  
(Applications for permission to file affidavit on behalf of

petitioner Nos. 2 to 6 with additional submissions by Ms. Aparna Bhat)

INTERLOCUTORY APPLICATION NOS. 37-39

(Applications for interim directions on behalf of Petitioner Nos. 2 to 6 by Ms. Aparna Bhat)

INTERLOCUTORY APPLICATION NOS. 40-42

(Applications for clarification/direction by Ms. S.C. Patodia)

INTERLOCUTORY APPLICATION NOS.

(Applications for permission to file Additional document filed by Ms. Aparna Bhat, Advocate on 09.12.2017)

INTERLOCUTORY APPLICATION NO.90265/2019

(Applications for permission to file Additional document filed by Ms. S.C. Patodia, Advocate on 20.06.2019)

INTERLOCUTORY APPLICATION NO. 151327/2022

(Application for permission to file Additional Documents as Annexure A-18 to A-38 on behalf of Petitioner No.6 in I.A. No.10 filed by Ms. Aparna Bhat, Advocate on 10.10.2022)

INTERLOCUTORY APPLICATION NO. 3772/2023

(Application for condonation of delay in filing the Joint Compilation with Affidavit)

WITH

T.P.(C) No. 170/2011 (XVI-A)

I.A NO. 2/2011-APPLICATION FOR STAY

I.A NO. 3/2011-APPLICATION FOR INTERVENTION

I.A NO. 4/2011-APPLICATION FOR IMPLEADMENT

Date : 12-01-2023 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL

HON'BLE MR. JUSTICE SANJIV KHANNA

HON'BLE MR. JUSTICE ABHAY S. OKA

HON'BLE MR. JUSTICE VIKRAM NATH

HON'BLE MR. JUSTICE J.K. MAHESHWARI

For Petitioner(s) Mr. R. Venkataramani, Ld. Attorney General for India

Ms. Madhvi Divan, A.S.G.

Mr. R. Balasubramiam, Sr. Adv.

Mr. S. Wasim A Qadri, Sr. Adv.

Mr. Gurmeet Singh Makker, AOR

Ms. Chinmayee Chandra, Adv.

Ms. Shradha Deshmukh, Adv.

Mrs. Vijayalakshmi Venkataramani, Adv.  
 Mr. Anandh Venkataramani, Adv.  
 Mr. Vinayak Mehrotra, Adv.  
 Mr. Chitvan Singhal, Adv.  
 Ms. Mansi Sood, Adv.  
 Ms. Sonali Jain, Adv.  
 Mr. Abhishek Kumar Pandey, Adv.  
 Mr. Raman Yadav, Adv.  
 Mr. Nakul Chengappa K.K., Adv.  
 Ms. Akriti A Manubarwala, Adv.

Mr. Shreekant Neelappa Terdal, AOR

Ms. Karuna Nundy, Adv.  
 Ms. Aparna Bhat, AOR  
 Ms. Karishma Maria, Adv.  
 Mr. Nischal Anand, Adv.  
 Mr. Rahul Narayan, Adv.  
 Ms. Muskan Tibrewala, Adv.  
 Mr. Amanpreet Singh, Adv.  
 Mr. Ragini Nagpal, Adv.  
 Mr. Ishaan Karki, Adv.  
 Mr. Sanchith Shiva Kumar, Adv.

For Respondent(s)

Mr. Harish N Salve, Sr. Adv.  
 Mr. Ravindra Shrivastav, Sr. Adv.  
 Mr. Sidharth Luthra, Sr. Adv.  
 Mrs. Shiraz Contractor Patodia, AOR  
 Mr. Ashish Singh, Adv.  
 Ms. Divya Sharma, Adv.  
 Ms. Juhi Chawla, Adv.  
 Mr. Mayank Singhal, Adv.  
 Ms. Sanya Shukla, Adv.  
 Ms. Devangna Singh, Adv.  
 Ms. Gayatri Goswami, Adv.  
 Mr. Pankaj Singhal, Adv.  
 Mr. Shakti Singh, Adv.  
 Mr. Ayush Anand, Adv.  
 Mr. Ieshan Sharma, Adv.

Ms. Karuna Nundy, Adv.  
 Ms. Aparna Bhat, AOR  
 Ms. Karishma Maria, Adv.

Mr. Sanjiv Sen, Sr. Adv.  
 Mr. Aditya Ghadge, Adv.  
 Mrs. Bina Gupta, AOR  
 Ms. Bharti Badesra, Adv.  
 Ms. Anjali Singh, Adv.  
 Mr. Gautam Khaitan, Adv.  
 Mr. A.T. Patra, Adv.

Mr. Sanjay Parikh, Sr. Adv.  
 Mr. Naveen R Nath, Sr. Adv.  
 Mr. Anuj Kapoor, AOR  
 Mr. Rahul Jain, Adv.  
 Mr. Satwik Parik, Adv.  
 Ms. Soumya Tandan, Adv.

Mr. Saurabh Mishra, A.A.G.  
 Mr. Mrinal Gopal Elker, AOR  
 Ms. Mrinal Elker Mazumdar, Adv.

Mr. Sunny Choudhary, AOR

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

CURATIVE PET(C) No. 345-347/2010 In R.P.(C) No.  
229/1989 & 623-624/1989 In C.A. No. 3187-3188/1988  
and SLP (C) No. 13080/1988

Heard Ms. Karuna Nundy, learned counsel for applicants in IA Nos. 7-9 and Mr. Sanjay Parikh, learned senior counsel for fifty five minutes and one hour respectively. Mr. Harish N Salve, learned senior counsel for respondent Nos. 1 and 2 made his submissions for one hour and twenty minutes.

Learned Attorney General made his submission in rejoinder for fifteen minutes.

Hearing concluded.

Orders reserved.

I.A NO. 3/2011-APPLICATION FOR INTERVENTION &  
I.A NO. 4/2011-APPLICATION FOR IMPLEADMENT IN TP[C] NO.  
170/2011

Dismissed.

TRANSFER PETITION [C] NO.170/2011

The Transfer Petition is dismissed in terms of  
the signed order.

Pending application(s) stand(s) disposed of.

[ASHA SUNDRIYAL]  
ASTT. REGISTRAR-cum-PS

[POONAM VAID]  
COURT MASTER (NSH)

[CHARANJEET KAUR]  
ASTT. REGISTRAR-cum-PS

[RASHMI DHYANI PANT]  
COURT MASTER

[ Signed order in TP is placed on the file ]