

ITEM NO.502

COURT NO.3

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**

**(Arising out of impugned final judgment and order dated 24-02-1989 in R.P.(C) No. No. 229/1989 15-02-1989 in R.P.(C) No. No. 623/1989 15-02-1989 in R.P.(C) No. No. 624/1989 passed by the Supreme Court Of India)**

UNION OF INDIA . &amp; ORS.

Petitioner(s)

VERSUS

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

Respondent(s)

**(INTERLOCUTORY APPLICATION NOS. 1-3 (EXEMPTION FROM FILING C/C/ OF THE IMPUGNED JUDGMENT)**

IA No. 19/2012 - DIRECTIONS

IA No. 13/2011 - INTERVENTION

IA No. 90265/2019 - APPLICATION FOR PERMISSION

IA No. 34/2016 - PERMISSION TO FILE AFFIDAVIT

IA No. 22/2014 - IMPLEADMENT

IA No. 37/2016 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 40/2016 - CLARIFICATION/DIRECTION

IA No. 10/2011 - FOR DIRECTIONS

IA No. 28/2014 - PERMISSION TO FILE ANNEXURES

IA No. 25/2014 - PERMISSION TO FILE ANNEXURES

IA No. 4/2010 - PERMISSION TO RAISE ADDITIONAL GROUND)

IA NO. 135156/2017-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

IA NO. 61226/2012

IA NO. 97539/2013

IA 16/2011-EARLY HEARING

IA NO. 35690/2012

IA NI. 105851/2011

IA NO. 7/2011

IA NO. 33640/2011

IA NO. 35395/2011

IA NO. 31/2015-EARLY HEARING

IA NO. 151327/2022-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTWS/ANNEXURES

IA NO. 151406/2022- PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTWS/ANNEXURES

WITH

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

IA NO. 70744/2011

IA NO. 61217/2012

IA NO. 1/2011-STAY APPLICATION  
IA NO. 4/2012

Date : 11-10-2022 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. A.G.  
Mr. Tushar Mehta, Ld. S.G.  
Mr. K.M.Nataraj, Ld. ASG  
Ms. Madhvi Divan, Ld. ASG  
Mr. G S Makker, AoR  
Mr. R.Balasubramaniam, Sr. Adv.  
Mr. Wasim Qadri, Sr. Adv.  
Mr.Chinmayee Chandra, Adv.  
Ms. Shradha Deshmukh  
Mr. Chitvan Singhal, Adv.  
Mr. Nakul Chengappa K.K., Adv.

For Respondent(s) Mr. Ravindra Shrivastava, Sr. Adv.  
Mr. Sidharth Luthra, Sr. Adv.  
Mrs. Shiraz Contractor Patodia, AOR  
Mr. Ashish Singh, Adv.  
Ms. Divya Singh, Adv.  
Ms. Juhi Chawla, Adv.  
Mr. Mayank Singhal, Adv.

Mr. Saurabh Mishra, AAG  
Mr. D.S. parmar, AAG  
Mrs. Mrinal Elker Mazumdar, Adv.  
Ms. Mrinal Gopal Elker, AOR  
Mrs. Anuradha Mishra, adv.  
Mr. Manish Yadav, Adv.

Mr. Sanjiv Sen, Sr. Adv.  
Mr. A.T. Patra, Adv.  
Mr. Aditya Ghadge, Adv.  
Mrs. Bina Gupta, AOR

Mr. Sanjay Parikh, Sr. Adv.  
Mr. Naveen R Nath, Sr. Adv.  
Mr. Satwik Parikh, Adv.  
Mr. Anuj Kapoor, AOR  
Mr. Rahul Jain, Adv.  
Ms. Samriti Shah, Adv.

Mr. Sunny Choudhary, AOR

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

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

We have heard learned counsel for the parties.

The learned Attorney General has taken a stand before us that the Government would like to press its curative petitions. A number of NGOs. seeks to be added as parties before us.

On the other hand, the respondent(s) state that the very maintainability of the curative petitions will have to be examined as it came 19 years after the judgment was passed and without going through a process of review petition(s). The persons who filed the review petitions on which orders were passed have not filed curative petition(s).

In the conspectus of the aforesaid, we issue the following directions:

1) The Government would represent the claim of the persons who suffered and thus a joint compilation would be required to be prepared by the

office of the learned Attorney General and the respondent(s) which would be the compilation alone to be referred by us in the proceedings.

2) Insofar as the applicant(s)-associations are concerned, we do not give any liberty to file any pleadings but at the relevant stage we will see to what extent assistance may be given by the counsels and we do not foreclose their rights to be heard by us at our discretion.

3) The joint compilation will be prepared within eight weeks as prayed for (56 days).

4) The parties will also file a brief synopsis of 10 pages each, as prayed for, within two weeks thereafter.

At the request of learned Attorney General some documents are permitted to be placed on record limited to updating position at the ground level.

List on 10.01.2023 at 10:30 a.m.

[CHARANJEET KAUR]  
ASTT. REGISTRAR-cum-PS

[POONAM VAID]  
COURT MASTER (NSH)