

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  
R E C O R D   O F   P R O C E E D I N G S

Civil Appeal No(s). 5978/2021

UNION OF INDIA & ORS.

Appellant(s)

VERSUS

AAP AND COMPANY

Respondent(s)

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

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]