

SECTION – XVI

**LISTED ON: 18.02.2025
COURT NO: 02
ITEM NO:08 & etc.**

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

SPECIAL LEAVE PETITION (C) NOS. 17751-17755 & 16936 OF 2024

with

INTERLOCUTORY APPLICATION NOS. 172711, 182715 & 172713 OF 2024
(Applicaiton for permission to file Additional Document and Modification of Parties)

with

INTERLOCUTORY APPLICATION NOS. 181528, 181598 & 182712 OF 2024
(Applicaiton for Directions)

with

**INTERLOCUTORY APPLICATION NOS. 181518, 181590, 181520, 181593 AND
182710 OF 2024**

(Applicaitons for permission to file Intervention and Intervention)

with

INTERLOCUTORY APPLICATION No. 182716 OF 2024

(Applicaitons for exemption from filing affidavit)

AND

INTERLOCUTORY APPLICATION NO. 169175, 169707 and 168302 OF 2024

(Applications for permission to file SLP)

IN

SLP(C) DIARY NOS. 30078, 31942, AND 31944 OF 2024

AND

PETITION FOR SPECIAL LEAVE TO APPEAL (C) . No. 18931-35 of 2024

WITH

INTERLOCUTORY APPLICATION No. 172348 of 2024

(Applications for exemption from filing certified copy of the impugned judgement)

AND

PETITION FOR SPECIAL LEAVE TO APPEAL (C) . No. 18926-30 of 2024

WITH

INTERLOCUTORY APPLICATION No. 175384 of 2024

(Applications for exemption from filing certified copy of the impugned judgement)

AND

PETITION FOR SPECIAL LEAVE TO APPEAL (C) . D. No. 36073 OF 2024

WITH

**INTERLOCUTORY APPLICATION No. 181758 AND 181759 of
2024**

(Applications for permission to file SLP and exemption from filing certified copy of the impugned judgement)

AND

INTERLOCUTORY APPLICATION No. 182762, 182802, 202529

AND 182804 of 2024

(Applications for permission to file additional documents and exemption from filing official translation)

AND

PETITION FOR SPECIAL LEAVE TO APPEAL (Civil) No. 20849 of 2024

(With Prayer for Interim Relief)

WITH

INTERLOCUTORY APPLICATION NO. 189250/2024

(Application for exemption from filing certified copy of the impugned judgment)

AND

PETITION FOR SPECIAL LEAVE TO APPEAL (Civil) Nos. 29017-29021 of 2024

(With Prayer for Interim Relief)

WITH

INTERLOCUTORY APPLICATION NO. 269494 of 2024

(Application for exemption from filing certified copy of the impugned judgment)

THE STATE OF WEST BENGAL
& ANR. ETC. ETC.

...PETITIONER(S)

-VERSUS -

AMAL CHANDRA DAS

...RESPONDENT(S)

OFFICE REPORT

The SLP(C) No. 17751-55 of 2024 was listed on 05-08-2024 (notice issue date) along-with other matters, when Hon'ble Court pleased to pass the following order:

"SLP (C) Diary No 31944 of 2024, SLP (C) Diary No 30078 of 2024, SLP (C) Diary No 31942 of 2024 & SLP (C) No 16936 of 2024

1. On mentioning, the matters are taken on Board.

SLP (C) Diary No 27287 of 2024, SLP (C) Diary No 31944 of 2024, SLP (C) Diary No 30078 of 2024, SLP (C) Diary No 31942 of 2024 & SLP (C) No 16936 of 2024

1. On the request of Ms Indira Jaising, senior counsel appearing on behalf of the petitioner-State, liberty is granted to

transpose the second petitioner, namely, the West Bengal Commission for Backward Classes, as a respondent, without prejudice to the rights and contentions of the parties.

2. Delay condoned.

3. Issue notice on the Special Leave Petitions, and on the application for stay, returnable in two weeks.

4. The State of West Bengal shall file an affidavit before this Court explaining the process which was followed before the designation of seventy-seven communities as Other Backward Classes in relation to the State took place. The State shall, in particular, clarify:

(i) The nature of the survey, if any, that was carried out on the twin aspects of:

(a) Social and educational backwardness; and

(b) Inadequacy of representation in the services of the State.

(ii) Whether there was a lack of consultation with the West Bengal Commission for Backward Classes in respect of any communities in the list of seventy-seven communities designated as OBCs and, in particular, in regard to the thirty-seven communities as submitted during the course of the hearing; and

(iii) Whether any consultation was carried out by the State Government in regard to the sub-classification of the OBCs with the West Bengal Commission for Backward Classes.

5. Besides indicating, either in affirmative or negative, its response to queries (ii) and (iii), the State shall clarify the nature of the survey and material which was in its possession before the ultimate act of designation took place.

6. Ms Astha Sharma, the Standing Counsel for the State of West Bengal submits that the affidavit would be filed by 12 August 2024.

7. On the request of Ms Indra Jaising, senior counsel for the petitioner-State, liberty is granted to implead the National Commission for Backward Classes as a party-respondent since it was a party before the High Court. Amendment be carried out during the course of the week.

8. List the Special Leave Petitions on 20 August 2024.”

This matter was lastly listed on 07-01-2025 and the Hon'ble Court was pleased to pass the following order:

“By consent, list these matters on 28.01.2025 for final hearing (at the top of the Board).”

Special Leave Petition (c) Nos. 17751-17755 of 2024:

It is submitted that Mr. Siddhesh Shirish Kotwal, Advocate for respondent No.1 viz. Purabi Das in SLP(c) No. 17754 of 2024 @ SLP(c) Nos. 17751-17755 of 2024 has on 28.08.2024 filed counter affidavit. Copy of the same has been placed along-with SLP paper-books.

It is further submitted that Mr. Vikash Chandra Shukla, Advocate for respondent No. 1 viz. Amal Chandra Das in SLP(c) No. 17751 of 2024 @ SLP(c) Nos. 17751-17755 of 2024 has on 28.08.2024 filed Short Affidavit. Copy of the same has also been placed along-with SLP paper-books.

It is also submitted that Ms. Astha Sharma, Advocate has on 07.09.2024 e-filed Additional Affidavit on behalf of petitioner. Copy of the same has been placed along-with SLP paper-books.

It is further submitted that Mr. Dr. N. Visakamurthy, Advocate for National Commission for Backward Classes has on 27.09.2024 filed an affidavit. Copy of the same have been placed along-with SLP paper-books.

It is again submitted that Mr. N. Visakamurthy, Advocate has on 08.01.2025 filed additional affidavit on behalf of respondent no. 3. The same is defective as counsel has not file index with it. However, the said defective affidavit is being circulated herewith.

It is lastly submitted that Mr. Kunal Mimani, Advocate has on 15.02.2025 filed memo of appearance on behalf of the state of West Bengal.

Service of notice is complete on all respondents except deceased respondent No. 1 in SLP(c) No. 17752 of 2024.

Special Leave Petition (c) Diary No. 30078 of 2024 (@ WPO No. 60 of 2011, WPA No. 22145 of 2010, WPA No. 8844 of 2020, WPO No. 1160 of 2013 and WPO No. 578 of 2012):

S.NO	SLP NO. D. No. 30078 of 2024	TOTAL NO. OF RESPON DENTS	REPRESENTED THROUGH	SERVICE OF NOTICE STATUS
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1	WPO No. 60 of 2011	3	Respondent Nos. 1 and 3 are represented through Mr. Kunal Mimani and Vikas Chandra Shukla, Advocates	<p>Service of notice is complete on R. No. 2 through tracking report but no one has entered appearance.</p> <p>Service of notice is complete.</p>
2	WPA No. 22145 of 2010	3	Respondent No. 1 is represented through Mr. Kunal Mimani, Advocate	<p>As per postal tracking report remarks received “Item Received in respect of R. No. 2 and “Deceased” in respect of R. No. 3 viz. Mr. Nil Madhab Karmakar.</p> <p>Service of notice is incomplete on R. No. 2 and deceased R. No. 3.</p>
3	WPA No. 8844 of 2020	4	Respondent Nos. 1 and 4 are represented through M/s. Kunal Mimani and Isha Aggarwal, Advocates	<p>Service of notice is complete on R. No. 3 through tracking report but no one has entered appearance so far. As per postal tracking report remarks received “Item Dispatched” in respect of R. No. 2.</p> <p>Service of notice is incomplete on R. No. 2.</p>
4	WPO No. 1160 of 2013	4	Respondent Nos. 1 & 3 are represented through M/s. Kunal Mimani and Siddheh Shirish Kotwal, Advocates	<p>Service of notice is complete on R. Nos. 2 & 4 through tracking report but no one has entered appearance so far.</p>

				Service is complete.
5	WPO No. 578 of 2012	3	Respondent No. 1 is represented through Mr. Kunal Mimani, Advocate	Service of notice is complete on R. No. 2 through tracking report but no one has entered appearance so far. As per postal tracking report remarks received "Item Returned " in respect of R. No. 3. Service of notice is incomplete on R. No. 3.

Special Leave Petition (c) Diary No. 31942 and 31944 of 2024:

It is submitted that there are 3 common respondents in both matters. Ms. Astha Sharma, Advocate had on 27.09.2024 filed Vakalatnama/appearance on behalf of respondent No. 1. Now Mr. Kunal Mimani, Advocate has on 15.02.2025 filed memo of appearance on behalf of respondent no. 1. Counsel has not filed counter-affidavit. Service of notice is complete on respondent No. 2 but no one has entered appearance so far. As per postal tracking report remarks obtained as **"Item Returned to New Delhi"** in respect of respondent No. 3. However, it is to be mentioned herein that said respondent No. 3 viz. Amal Chandra Das is represented through Mr. Vikash Chandra Shukla, Advocate in main SLP(C) No. 17751-17755 of 2024 and service of notice may be deemed to be complete on respondent No. 3.

Service of notice is complete on respondent Nos. 1 & 2 and deemed to complete in respect of respondent No. 3.

Special Leave Petition (c) No. 16936 of 2024:

It is submitted that there are 3 respondents in this matter. Ms. Astha Sharma, Advocate has on 27.09.2024 filed Vakalatnama/appearance on behalf of respondent No. 1 but no counter affidavit has been filed so far. Service of notice is complete on

respondent No. 3 but no one has entered appearance so far. As per postal tracking report **“Item Returned to New Delhi”** in respect of respondent No. 2. However, it is to be mentioned herein that said respondent No. 2 viz. West Bengal Commission for Backward Class is represented through Mr. Kunal Chatterjee, Advocate in main SLP(C) No. 17751-17755 of 2024 and service of notice may be deemed to be complete on respondent No. 2.

It is further submitted that Mr. Kunal Mimani, Advocate has on 15.02.2025 filed memo of appearance on behalf of the state of West Bengal.

Service of notice is complete on respondent Nos. 1 & 3 and deemed to complete in respect of respondent No. 2.

PETITION FOR SPECIAL LEAVE TO APPEAL (C) . No. 18931-35 of 2024

SERVICE POSITION OF EACH SLP IS AS UNDER :

S.N O	CIVIL APPEAL NO.	TOTAL NO. OF RESPONDENTS	REPRESENTED THROUGH	SERVICE OF NOTICE STATUS
1	SLP (C) NO. 18931 OF 2024	3	Notice was issued to Respondent Nos. 1 and 2 through registered A.D Post on 21.08.2024.	Mr. Vikash Chandra Shukla, Advocate has filed Vakaltnama on behalf of Respondent No. 3 but no counter affidavit has been filed so far. As per postal tracking report remarks received “Item Delivered” in respect of Respondent Nos. 1 and 2 but no one has entered appearance on their behalf so far. Service of notice is complete.

2	SLP (C) NO. 18932 OF 2024	3	Notice was issued to all the three respondents through registered A.D Post on 21.08.2024.	As per postal tracking report remarks received “Item delivered” in respect of Respondent Nos. 1 and 2 but no one has entered appearance on their behalf so far and “ Addressee left without instructions” in respect of respondent no. 3. service of notice is incomplete on Respondent No. 3.
3	SLP (C) NO. 18933 OF 2024	4	Notice was issued to Respondent nos. 1 to 3 through registered A.D Post on 21.08.2024.	Ms. Isha Aggrawal, Advocate has filed vakaltnama on behalf of Respondent No. 4 but no counter affidavit has been filed so far. As per postal tracking report remarks received “Item delivered” in respect of respondent nos. 1 to 3 but no one has entered appearance on their behalf so far. Service of notice is complete.
4	SLP (C) NO. 18934 OF 2024	4	Notice was issued to respondent nos. 1 to 2 and 4 through registered A.D Post on 21.08.2024.	Mr. Siddhesh Shirish Kotwal, Advocate has filed vakalatnama on behalf of Respondent No. 3 but no counter affidavit has been filed so far. As per postal tracking report remarks received “Item delivered” in

				<p>respect of respondent nos. 1 to 2 and 4 but no one has entered appearance on their behalf so far.</p> <p>Service of notice is complete.</p>
5	SLP (C) NO. 18935 OF 2024	3	<p>Notice was issued to Respondent nos. 1 and 2 through registered A.D Post on 21.08.2024.</p>	<p>Mr. Vikash Chandra Shukla, Advocate has filed Vakaltnama on behalf of Respondent No. 3 but no counter affidavit has been filed so far. As per postal tracking report remarks received “Item delivered” in respect of respondent nos.1 and 2 but no one has entered appearance on their behalf so far.</p> <p>Service of notice is complete.</p>

PETITION FOR SPECIAL LEAVE TO APPEAL (C) . No. 18926-30 of 2024

SERVICE POSITION OF EACH SLP IS AS UNDER :

S.N O	CIVIL APPEAL NO.	TOTAL NO. OF RESPONDENTS	REPRESENTED THROUGH	SERVICE OF NOTICE STATUS
1	SLP (C) NO. 18926 OF 2024	3	<p>Notice was issued to Respondent Nos. 2 and 3 through registered A.D Post on 21.08.2024.</p>	<p>M/S. Vikash Chandra Shukla and Astha Sharma, Advocates have filed Vakaltnama on behalf of Respondent No. 1 and 2 but no counter affidavit has been</p>

				<p>filed so far. As per postal tracking report remarks received “Item Delivered” in respect of Respondent No. 3 but no one has entered appearance on his behalf so far.</p> <p>Service of notice is complete.</p>
2	SLP (C) NO. 18927 OF 2024	3	<p>Notice was issued to all the three respondents through registered A.D Post on 21.08.2024.</p>	<p>Ms. Astha Sharma, Advocate has filed vakalatnama on behalf of Respondent No. 2 but no counter affidavit has been filed so far. As per postal tracking report remarks received “Addressee left without instructions” in respect of respondent no. 1 and “Item Delivered” in respect of respondent no. 3 but no one has entered appearance on his behalf so far.</p> <p>Service is in-complete on respondent no. 1</p>
3	SLP (C) NO. 18928 OF 2024	4	<p>Notice was issued to Respondent nos. 2 to 4 through registered A.D Post on 21.08.2024.</p>	<p>M/S. Isha Aggrawal and Astha Sharma, Advocates have filed vakaltnama on behalf of Respondent No. 1 and 2,4 but no counter affidavit has been filed so far. As per postal tracking report remarks received “Item delivered” in</p>

				<p>respect of respondent no.3</p> <p>Service of notice is complete.</p>
4	SLP (C) NO. 18929 OF 2024	3	<p>Notice was issued to respondent nos. 2 to 3 through registered A.D Post on 21.08.2024.</p>	<p>M/s. Vikash Chandra Shukla and Astha Sharma, Advocates have filed vakalatnama on behalf of Respondent No. 1 and 2 but no counter affidavit has been filed so far. As per postal tracking report remarks received "Item delivered" in respect of respondent no. 3 but no one has entered appearance on his behalf so far.</p> <p>Service is complete.</p>
5	SLP (C) NO. 18930 OF 2024	4	<p>Notice was issued to Respondent nos. 2 to 4 through registered A.D Post on 21.08.2024.</p>	<p>M/s. Siddhesh S. Kotwal and Astha Sharma, Advocates have filed Vakaltnama on behalf of Respondent No. 1 and 3 but no counter affidavit has been filed so far. As per postal tracking report remarks received "Item delivered" in respect of Respondent Nos. 2 and 4 but no one has entered appearance on their behalf so far.</p> <p>Service of notice is complete.</p>

PETITION FOR SPECIAL LEAVE TO APPEAL (C) . D. No. 36073 OF 2024

It is submitted that Mr. Kunal Chatterji, counsel for petitioner has on 06.09.2024 filed application for permission to file additional documents which has been registered as I.A No. 202529 of 2024. Copy of the same has been placed along-with SLP paper-books.

This is a fresh matter.

SLP(C) 20849 OF 2024

The matter above mentioned was listed before the Hon'ble Court on 06.09.2024, when the following Order was passed: -

- “1 Permission to file the Special Leave Petition is granted.**
- 2 Issue notice.**
- 3 Tag with SLP (C) Diary No 27287 of 2024.”**

There are three respondents in the matter above-mentioned.

It is submitted that the instant matter has been tagged with SLP(C) Nos. 17751-17755 of 2024.

Accordingly, show cause notice was issued on 19/09/2024 to all the three respondents by registered AD post. As per postal tracking report “Item Delivered” in respect of respondent No. 3 but no one has entered appearance so far and notice has been received back at New Delhi GPO in respect of Respondent Nos. 1 & 2 due to insufficient address.

Service of notice is incomplete on respondent Nos. 1 & 2.

SLP(C) Nos. 29017-29021 OF 2024

The matters above mentioned were listed before the Hon'ble Court on 02/12/2024, when the Court was pleased to pass the following Order: -

- “1. Permission to file special leave petition is granted.**
- 2. Delay condoned.**
- 3. Issue notice.**
- 4. Dasti, in addition, is permitted.**
- 5. In addition to the usual mode, liberty is granted to the petitioner to serve notice through the Standing Counsel for the respondent/State.**

6. Tag with SLP(C) Nos. 17751-17755 of 2024.”

There are three respondents in the matter.

It is submitted that the instant matter has been tagged with SLP(C) Nos. 17751-17755 of 2024. Accordingly, show cause notice was issued on 06/12/2024 to all the three respondents by speed post as well as by dasti. Ms. Astha Sharma, Advocate has on 06.01.2025 filed Vakalatnama/appearance on behalf of Respondent no. 1 but she has not filed counter-affidavit so far. As per postal tracking report, “Item Delivered” in respect of Respondent Nos. 2 & 3 but no one has entered appearance so far.

It is further submitted that Ms. Sugandha Anand, Counsel for the Petitioner has on 06/12/2024 filed an affidavit of dasti service with proof in respect of all the three respondents.

Service of notice is complete.

The matters above mentioned are listed before the Hon’ble Court with this office report.

Dated this the 17th day of January, 2025.

ASSISTANT REGISTRAR

Copy to:- Mr. Kunal Minani, Adv.
Mr. Kunal Chatterjee, Adv.
Ms. Isha Aggarwal, Adv.
Mr. Siddhesh Shirish Kotwal, Adv.
Mr. Vikash Chandra Shukla, Adv.
Mr. Tejaswi Kumar Pradhan, Adv.
Ms. Sanchita Ain, Adv.
Mr. ADITYA SAMADDAR, Adv.
Mr. Vikram Arun Mishra, Adv.
Mr. Shashank Singh, Adv.
Mr. Shashank Tripathi, Advocate
Mr. Dr. N. Visakamurthy, Advocate
Ms. Sugandha Anand, Advocate

ASSISTANT REGISTRAR