

STATE OF UTTAR PRADESH  
v.  
STATE OF NAGALAND AND ORS.

A

DECEMBER 17, 1997

[SUHAS C. SEN AND M. JAGANNADHA RAO, JJ.]

B

*Constitution of India, 1950 : Article 136*

*Appeal by Special Leave—Appeal against interim order—In the meanwhile writ petition also heard at length—Held, since the judgment was likely to be pronounced shortly interference with interim order was not called for at this stage.*

C

CIVIL APPELLATE JURISDICTION : Civil Appeal Nos. 8858-61 of 1997 Etc.

From the Judgment and Order dated 13.10.97 of the Gauhati High Court in C.R. No. 4986 of 1997.

D

Ashok H. Desai, Attorney General of India, A.K. Goel, Adv. General, Kavin Gulati, Pradeep Misra, R.B. Misra and Kamlendra Misra for the Appellant.

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Shanti Bhushan, P.K. Goswami, Dr. A.M. Singhvi, C.K. Sasi, Kailash Vasdev, Pradeep Agarwal, N.B. Khatwada, Ms. Pratibha Jain and Goodwill Indeevar for the Respondents.

The following Order of the Court was delivered :

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Leave granted. Although elaborate arguments have been advanced by the Attorney-General on behalf of the State of Uttar Pradesh, the Solicitor General on behalf of the Union of India and Mr. Shanti Bhushan on behalf of the State of Nagaland. We will not go into the merits of the case at all. We have been informed that the writ petition even at the admission stage has been heard at length. The judgment is awaited. This is only an appeal from an interim order. Since the judgment is going to be pronounced shortly we are disinclined to interfere with the interim order passed at this stage. We make it clear that we have not expressed any opinion on the merits of the case. The Court hearing this matter will be

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**A** entirely free to decide the case in accordance with law. The appeals are disposed of accordingly.

T.P. Nos. 418-421/97

**B** In view of the above decision in SLP (C) Nos. 21304 07/97, no order is passed on the Transfer petitions at this stage. The Transfer Petitions are also disposed of accordingly.

T.N.A.

Appeal and T.P. disposed of.