

[2021] 7 S.C.R. 240

**A VEDANTA LTD. (FORMERLY KNOWN AS
M/S SESA STERLITE LTD.)**

V.

THE GOA FOUNDATION & ORS.

B (Review Petition (Civil) Diary No. 18447 of 2020)

JULY 09, 2021

**[DR. DHANANJAYA Y CHANDRACHUD AND
M. R. SHAH, JJ.]**

- C Supreme Court Rules, 2013: Or.XLVII r.2 – Review of a judgment – Limitation – In accordance with r.2 of Or.XLVII, an application for review of a judgment has to be filed within thirty days of the date of the judgment or order that is sought to be reviewed – No cogent grounds were furnished for the delay between 20 and 26 months by the two parties in filing their applications for review – Review petitions were filed after the judges who delivered the judgments retired from the Court – Such practice is firmly disapproved to preserve the institutional sanctity of the decision making of the Court – Review petitioners were aware of the decision – Review petitions dismissed on the ground of limitation alone – However, in any event, no legitimate grounds for review of the judgment were made out and the review petitions dismissed on merits as well.

Dismissing the review petitions, the Court

HELD: The judges comprising the two-judge bench in

F **GoaFoundation II**, Justices Madan B Lokur and Deepak Gupta, retired from this Court on 30 December 2018 and 6 May 2020, respectively. The State of Goa preferred its four review petitions in the month of November 2019, after Justice Madan B Lokur's retirement, while Vedanta Limited preferred its four review

G retirement, while Vedanta Limited preferred its four review petitions in the month of August 2020, right after Justice Deepak Gupta's retirement. Such practice must be firmly disapproved to preserve the institutional sanctity of the decision making of this Court. The review petitioners were aware of the decision of this Court. The review petitions are dismissed on the ground of

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limitation alone. However, in any event, no legitimate grounds for review of the judgment in Goa Foundation II have been made out and the review petitions are dismissed on merits as well. [Paras 2, 3][242-C-E]

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Goa foundation vs Sesa Sterlite Limited & Ors. (2018)
4 SCC 218:[2018] 2 SCR 361 – referred to

B

Case Law Reference

[2018] 2 SCR 361 referred to Para 1

INHERENT JURISDICTION: Review Petition (Civil) Diary No.18447 of 2020

C

In

Special Leave Petition (Civil) No.32138 of 2015

From the Judgment and Order dated 07.02.2018 of the Supreme Court of India in Special Leave Petition (Civil) No.32138 of 2015, Special Leave Petition (Civil) No.32699 of 2015 and Writ Petition Nos. 720 and 711 of 2015

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With

Review Petition (C) Diary No.41515 of 2019 in SLP (C) No.32138 of 2015, Review Petition (C) Diary No.41517 of 2019 in Writ Petition (C) No.720 of 2015, Review Petition (C) Diary No.41543 of 2019 in SLP (C) No.32699-32727 of 2015, Review Petition (C) Diary No.41545 of 2019 in Writ Petition (C) No.711 of 2015, Review Petition (C) Diary No.18430 of 2020 in SLP (C) No.32707 of 2015, Review Petition (C) Diary No.18435 of 2020 in Writ Petition (C) No.711 of 2015 and Review Petition (C) Diary No.18438 of 2020 in Writ Petition (C) No.720 of 2015.

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By Circulation

The Judgment of the Court was delivered by

DR. DHANANJAYA Y CHANDRACHUD, J.

1. The review petitions have been preferred by the State of Goa (Diary No 41515 of 2019 and Diary No 41517 of 2019, both with a delay of 650 days and Diary No 41453 of 2019 and Diary No 41545 of 2019, both with a delay of 651 days) and by Vedanta Limited (formerly known

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- A as M/s Sesa Sterlite Limited) (Diary No 18430 of 2020, Diary No 18435 of 2020, Diary No 18438 of 2020 and Diary No 18447 of 2020, all four with a delay of 907 days) against the judgement of a two-judge bench of this Court in **Goa Foundation v.Sesa Sterlite Limited &Ors.¹**, pronounced on 7 February 2018.
 - B 2. In accordance with Rule 2 of Order XLVII of the Supreme Court Rules, 2013, an application for review of a judgement has to be filed within thirty days of the date of the judgement or order that is sought to be reviewed. No cogent grounds have been furnished for the delay between 20 and 26 months by the two parties in filing their applications for review.
 - C The judges comprising the two-judge bench in **Goa Foundation II**, Justices Madan B Lokur and Deepak Gupta, retired from this Court on 30 December 2018 and 6 May 2020, respectively. The State of Goa preferred its four review petitions in the month of November 2019, after Justice Madan B Lokur's retirement, while Vedanta Limited preferred its four review petitions in the month of August 2020,
 - D right after Justice Deepak Gupta's retirement. Such practise must be firmly disapproved to preserve the institutional sanctity of the decision making of this Court. The review petitioners were aware of the decision of this Court.
3. Keeping in mind the above, we are inclined to dismiss these
- E review petitions on the ground of limitation alone. However, in any event, we also find that no legitimate grounds for review of the judgment in **Goa Foundation II** have been made out, and dismiss these review petitions on merits as well.
4. Pending application(s), if any, are disposed of.

Devika Gujral

Review petitions dismissed.

¹(2018) 4 SCC 218, hereinafter referred to as "Goa Foundation II"