

ITEM NO.47

COURT NO.12

SECTION X

**S U P R E M E C O U R T O F I N D I A**  
**RECORD OF PROCEEDINGS**

Writ Petition(s)(Civil) No(s). 534/2020

**BAJAJ ALLIANZ GENERAL INSURANCE  
COMPANY PRIVATE LTD.**

Petitioner(s)

VERSUS

UNION OF INDIA &amp; ORS.

Respondent(s)

(IA No. 121017/2022 - APPLICATION FOR EXEMPTION FROM PAYMENT OF  
COSTS, IA No. 52588/2020 - EX-PARTE AD-INTERIM RELIEF  
IA No. 140335/2022 - EXEMPTION FROM FILING AFFIDAVIT  
IA No. 121023/2022 - EXEMPTION FROM FILING AFFIDAVIT  
IA No. 152377/2022 - EXEMPTION FROM FILING O.T.  
IA No. 121014/2022 - INTERVENTION/IMPLEADMENT  
IA No. 140333/2022 - PERMISSION TO FILE ADDITIONAL  
DOCUMENTS/FACTS/ANNEXURES)

Date : 01-10-2024 This matter was called on for hearing today.

**CORAM : HON'BLE MR. JUSTICE M.M. SUNDRESH  
HON'BLE MR. JUSTICE ARAVIND KUMAR**

**Mr. N. Vijayaraghavan,, Amicus Curiae  
Mr. Vipin Nair, AOR**

**For Petitioner(s) Mr. Siddharth, AOR  
Mr. Anshul Saxena, Adv.  
Mr. Harshit Manwani, Adv.**

**Mr. Jagdish Chandra, Adv.  
Ms. Aishwarya Sinha, Adv.  
Mr. Niteen Kumar Sinha, AOR**

**For Respondent(s) Mr. Vikramjit Banerjee, A.S.G. (NP)  
Ms. Aishwarya Bhati, A.S.G. (NP)  
Mr. Gurmeet Singh Makker, AOR  
Mr. Siddhartha Sinha, Adv.  
Mr. Navanjay Mahapatra, Adv.  
Ms. Garima Prasad, Adv.  
Mr. Bhuvan Mishra, Adv.  
Mr. Sughosh Subramanyam, Adv.  
Mr. Manish, Adv.  
Ms. Ruchi Kohli, Adv.  
Mr. Arvind Kumar Sharma, AOR**

**Ms. Prerna Singh, Adv.**

Mr. Guntur Pramod Kumar, AOR  
Mr. Dhruv Yadav, Adv.  
Mr. Keshav Singh, Adv.

Mr. Abhimanyu Tewari, AOR  
Ms. Eliza Bar, Adv.

Mr. Manish Kumar, AOR  
Mr. Divyansh Mishra, Adv.

Mr. Bishwajit Dubey, A.A.G.  
Mr. Vinayak Sharma, Adv.  
Mr. Mukesh Gautam, Adv.  
Ms. Devika Khanna, Adv.  
Mr. V D Khanna, Adv.  
For Mr. VMZ Chambers, AOR

Mr. Abhishek Atrey, AOR  
Ms. Vidyottma Jha, Adv.

Ms. Deepanwita Priyanka, AOR  
Mr. Prashant Bhagwati, Adv.

Mr. Akshay Amritanshu, AOR  
Mr. Samyak Jain, Adv.  
Ms. Drishti Saraf, Adv.  
Ms. Pragya Upadhyay, Adv.  
Mr. Saurabh Gupta, Adv.

Mr. Ravi Bakshi, Adv.  
Mr. Manvendra Pratap Singh, Adv.  
Mr. Pramod Dayal, AOR  
Ms. Sayma Feroz, Adv.  
Mr. Kuldeep Singh, Adv.  
Mr. Kunal Prakash, Adv.

Mr. V. N. Raghupathy, AOR  
Mr. Vishwanath P. Allannavar, Adv.

Mr. Nishe Rajen Shonker, AOR  
Mrs. Anu K Joy, Adv.  
Mr. Alim Anvar, Adv.  
Mr. Ajith Anto Perumbully, Adv.

Mr. Rushabh Aggarwal, Adv.  
Mr. Aditya Vaibhav Singh, Adv.  
Mr. Ajay Sharma, Adv,  
Mr. Pashupathi Nath Razdan, AOR

Mr. Rahul Chitnis, Adv.  
Mr. Siddharth Dharmadhikari, Adv.  
Mr. Aaditya Aniruddha Pande, AOR

Mr. Pukhrambam Ramesh Kumar, AOR  
Mr. Karun Sharma, Adv.  
Ms. Anupama Ngangom, Adv.  
Ms. Rajkumari Divyasana, Adv.  
Mr. R. Rajaselvan, Adv.

Mr. Avijit Mani Tripathi, AOR  
Mr. T.k. Nayak, Adv.  
Ms. Marbiang Khongwir, Adv.  
Mr. Vikas Bansal, Adv.

Mr. Anando Mukherjee, AOR  
Mr. Shwetank Singh, Adv.

Ms. K. Enatoli Sema, AOR  
Ms. Limayinla Jamir, Adv.  
Mr. Amit Kumar Singh, Adv.  
Ms. Chubalemla Chang, Adv.  
Mr. Prang Newmai, Adv.

Mr. Som Raj Choudhury, AOR  
Ms. Shrutee Aradhana, Adv.  
Mr. Prashant Kumar, Adv.

Mr. Rajat Bhardwaj, A.A.G.  
Mr. Siddhant Sharma, AOR

Mr. Milind Kumar, AOR  
Mr. Vishal Meghwal, Adv.

Mr. Sameer Abhyankar, AOR  
Mr. Rahul Kumar, Adv.  
Mr. Aryan Srivastava, Adv.  
Mr. Sarthak Dora, Adv.  
Mr. Aakash Thakur, Adv.  
Ms. Ayushi Bansal, Adv.

Mr. D. Kumanan, AOR  
Ms. Deepa S, Adv.  
Mr. Sheikh F Kalia, Adv.  
Mr. Veshal Tyagi, Adv.  
Mr. Chinmay Anand Panigrahi, Adv.

Mr. Amit Anand Tiwari, Sr. A.A.G. (NP)  
Mr. Sabarish Subramanian, AOR  
Mr. C Kranthi Kumar, Adv.  
Mr. Vishnu Unnikrishnan, Adv.  
Mr. Danish Saifi, Adv.  
Mr. Sarathraj B, Adv.

Mr. Sravan Kumar Karanam, AOR

Ms. Shireesh Tyagi, Adv.  
Mr. Aniket Singh, Adv.

Mr. S.. Udaya Kumar Sagar, AOR

Mr. Shuvodeep Roy, AOR  
Mr. Deepayan Dutta, Adv.  
Mr. Saurabh Tripathi, Adv.

Mr. Pradeep Misra, AOR  
Mr. Daleep Dhyani, Adv.  
Mr. Yashasvi Virendra, Adv.  
Mr. Suraj Singh, Adv.

Ms. Astha Sharma, AOR  
Ms. Muskan Surana, Adv.

Mr. Mukesh Kumar Maroria, AOR

Mr. K.M.nataraj, A.S.G. (NP)  
Mr. Piyush Beriwal, Adv.  
Mr. Harish Pandey, Adv.  
Ms. Indira Bhakar, Adv.  
Mr. Neeraj Kr.sharma, Adv.  
Mr. Rajesh Singh Chauhan, Adv.  
Mr. Shreekant Neelappa Terdal, AOR

Mr. Aravindh S., AOR  
Mr. Akshay Gupta, Adv.

Mr. Ashwarya Sinha, AOR  
Mr. Aditya Malhotra, Adv.  
Ms. Priyanka Sinha, Adv.

M/S. ACM Legal, AOR

Mr. Deepak Prakash, AOR  
Mr. Nachiketa Vajpayee, Adv.  
Ms. Divyangna Malik, Adv.  
Ms. J. Merlyn Rachel, Adv.  
Ms. Vishnu Priya, Adv.  
Mr. Rahul Lakhera, Adv.  
Mr. Rahul Suresh, Adv.

Mr. Kanhaiya Singhal, AOR  
Mr. Kanhaiya Singhal, Adv.  
Mrs. Vani Singhal, Adv.  
Mr. Prasanna, Adv.  
Mr. Ujwal Ghai, Adv.

Mr. K. K. Mohan, AOR  
Mr. Ashish Kumar Tiwari, AOR  
Mr. Arjun Garg, AOR

Mr. Nishit Agrawal, AOR  
Ms. Kanishka Mittal, Adv.  
Mr. Sankalp Suman, Adv.

Mr. Deepayan Mandal, AOR  
Mr. Mridul Bansal, Adv.  
Mr. Naman Varma, Adv.

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

The learned Amicus Curiae has flagged three issues vide his report dated 07.09.2024. The first is with respect to the outer time limit for the eDAR mobile application, to go Live Pan-India, which is still at the trial stage. Unfortunately, there is no representation on behalf of the Union of India with respect to the same even at this stage.

The second issue is with respect to the insurance policy to be taken by the respective State Transport Corporations/State Governments for insurance coverage of their transport vehicles, or in the alternative, to create a corpus to meet liabilities. On the aforesaid issue, this Court has already issued some directions.

The third issue pertains to the application of TDS on the further interest liability over and above Rs.50,000/-, on the compensation awarded.

The learned Amicus, in his report, has highlighted the fact that four Special Leave Petitions are pending before this Court on the third issue, which are as follows:-

- SLP(C) No.20686/2015
- SLP(C) No.11080/2017

- SLP(C) No.17044/2021
- SLP(C) No.8394/2022

At the present stage, we have been informed that all these matters are pending before the Registry. The Registry is directed to take appropriate action on these matters, and thereafter, seek appropriate orders from Hon'ble the Chief Justice of India and post all the aforesaid matters before an appropriate Bench, so that a decision can be taken.

The learned Amicus has also informed this Court that, after making the Union of India and the Income Tax Department parties to the writ petition, a Division Bench of the High Court of Bombay has taken a view on the said issue, reported in 'Rupesh Rashmi Kant Shah Vs. Union of India', (2019) SCC Online Bom 1518, which according to the learned Amicus has attained finality. We would like to elicit a response from the Union of India and the Income Tax Department on this issue as well.

We deem it appropriate to take up all three issues on the next date of hearing.

List on 19.11.2024 at 2.00 P.M.

(SWETA BALODI)  
COURT MASTER (SH)

(POONAM VAID)  
COURT MASTER (NSH)