

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION
WRIT PETITION (C) NO.494 OF 2012

JUSTICE K.S.PUTTASWAMY (RETD) AND ANR.PETITIONER(S)

VERSUS

UNION OF INDIA AND ORS.RESPONDENT(S)

WITH

CONMT.PET.(C) No. 144/2014 In W.P.(C) No. 494/2012
W.P.(C) No. 220/2015, T.P.(C) No. 313/2014
T.P.(C) No. 312/2014, SLP(Cr1) No. 2524/2014
CONMT.PET.(C) No. 844/2017 In W.P.(C) No. 494/2012
CONMT.PET.(C) No. 674/2015 In W.P.(C) No. 829/2013
T.P.(C) No. 921/2015
CONMT.PET.(C) No. 470/2015 In W.P.(C) No. 494/2012
CONMT.PET.(C) No. 444/2016 In W.P.(C) No. 494/2012
W.P.(C) No. 833/2013
CONMT.PET.(C) No. 608/2016 In W.P.(C) No. 494/2012
W.P.(C) No. 797/2016, W.P.(C) No. 829/2013
T.P.(C) No. 1797/2013, W.P.(C) No. 932/2013
W.P.(C) No. 37/2015, T.C.(C) No. 151/2013
T.C.(C) No. 152/2013, T.P.(C) No. 1796/2013
W.P.(C) No. 372/2017

O R D E R

During the course of the hearing today, it seems that it has become essential for us to determine whether there is any fundamental right of privacy under the Indian Constitution. The determination of this question would essentially entail whether the decision recorded by this Court in *M.P. Sharma and Ors. vs. Satish Chandra, District Magistrate, Delhi and Ors.* - 1950 SCR 1077 by an eight-Judge Constitution Bench, and also, in *Kharak Singh*

vs. The State of U.P. and Ors. - 1962 (1) SCR 332 by a six-Judge Constitution Bench, that there is no such fundamental right, is the correct expression of the constitutional position.

Before dealing with the matter any further, we are of the view that the issue noticed hereinabove deserves to be placed before the nine-Judge Constitution Bench. List these matters before the Nine-Judge Constitution Bench on 19.07.2017.

Liberty is granted to the learned counsel appearing for the rival parties to submit their written briefs in the meantime.

.....CJI
[JAGDISH SINGH KHEHAR]

.....J
[J. CHELAMESWAR]

.....J
[S. A. BOBDE]

.....J
[D.Y. CHANDRACHUD]

.....J
[S. ABDUL NAZEER]

New Delhi;
July 18, 2017.

ITEM NO.501

COURT NO.1

SECTION PIL-W

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

Writ Petition(s) (Civil) No(s).494/2012

JUSTICE K.S.PUTTASWAMY (RETD) AND ANR.

Petitioner(s)

VERSUS

UNION OF INDIA AND ORS.

Respondent(s)

WITH CONMT.PET.(C) No. 144/2014 In W.P.(C) No. 494/2012 (PIL-W)
 W.P.(C) No. 220/2015 (PIL-W)
 T.P.(C) No. 313/2014 (XVI -A)
 T.P.(C) No. 312/2014 (XVI -A)
 SLP(Cr1) No. 2524/2014 (II-A)
 CONMT.PET.(C) No. 844/2017 In W.P.(C) No. 494/2012 (PIL-W)
 CONMT.PET.(C) No. 674/2015 In W.P.(C) No. 829/2013 (PIL-W)
 T.P.(C) No. 921/2015 (XVI -A)
 CONMT.PET.(C) No. 470/2015 In W.P.(C) No. 494/2012 (PIL-W)
 CONMT.PET.(C) No. 444/2016 In W.P.(C) No. 494/2012 (PIL-W)
 W.P.(C) No. 833/2013 (PIL-W)
 CONMT.PET.(C) No. 608/2016 In W.P.(C) No. 494/2012 (PIL-W)
 W.P.(C) No. 797/2016 (PIL-W)
 (FOR [PERMISSION TO FILE ANNEXURES] ON IA 4/2016
 FOR [DIRECTIONS] ON IA 5/2017
 FOR STAY APPLICATION ON IA 6/2017)
 W.P.(C) No. 829/2013 (PIL-W)
 T.P.(C) No. 1797/2013 (XVI -A)
 W.P.(C) No. 932/2013 (PIL-W)
 W.P.(C) No. 37/2015 (PIL-W)
 T.C.(C) No. 151/2013 (XVI -A)
 T.C.(C) No. 152/2013 (XVI -A)
 T.P.(C) No. 1796/2013 (XVI -A)
 W.P.(C) No. 372/2017 (X)

Date : 18-07-2017 This petition was called on for hearing today.

CORAM :

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 HON'BLE MR. JUSTICE J. CHELAMESWAR
 HON'BLE MR. JUSTICE S.A. BOBDE
 HON'BLE DR. JUSTICE D.Y. CHANDRACHUD
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UPON hearing the counsel the Court made the following
O R D E R

List these matters before the Nine-Judge Constitution Bench on
19.07.2017, in terms of the signed order.

(Sanjay Kumar-II)
Court Master

(Indu Kumari Pokhriyal)
Branch Officer

(Renuka Sadana)
Assistant Registrar

(Signed Order is placed on the file)