

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)

([FOR FURTHER HEARING] IA No.141212/2017-impleading party and IA No.141215/2017-CLARIFICATION/DIRECTION and IA No.5311/2018-impleading party and IA No.5312/2018-CLARIFICATION/DIRECTION and IA No.5890/2018-INTERVENTION APPLICATION and IA No.10105/2018-INTERVENTION APPLICATION and IA No.10355/2018-impleading party and IA No.13628/2018-impleading party and IA No.24406/2018-INTERVENTION APPLICATION) WITH T.C. (C) No.151/2013 (XVI-A) T.C. (C) No.152/2013 (XVI-A) W.P. (C) No.833/2013 (PIL-W) W.P. (C) No.829/2013 (PIL-W) (and IA No.22171/2018-INTERVENTION APPLICATION and IA No.22174/2018-PERMISSION TO APPEAR AND ARGUE IN PERSON) T.P. (C) No.1797/2013 (XVI-A) W.P. (C) No.932/2013 (PIL-W) T.P. (C) No.1796/2013 (XVI-A) CONMT.PET. (C) No.144/2014 In W.P. (C) No.494/2012 (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) W.P. (C) No.37/2015 (PIL-W) W.P. (C) No.220/2015 (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) W.P. (C) No.231/2016 (PIL-W) (FOR ON IA 1/2016(DIRECTION) FOR ON IA 2/2016(PERMISSION TO AMEND WRIT PETITION AND RAISING ADDITIONAL GROUNDS) CONMT.PET. (C) No.444/2016 In W.P. (C) No.494/2012 (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) CONMT.PET. (C) No.844/2017 In W.P. (C) No.494/2012 (PIL-W) W.P. (C) No.342/2017 (PIL-W) (FOR INTERIM PRAYERS FOR GRANT OF INTERIM RELIEF ON IA 1/2017 and IA No.129017/2017-impleading party and IA

No.129021/2017-CLARIFICATION/DIRECTION and IA
 No.129027/2017-impleading party and IA
 No.129032/2017-CLARIFICATION/DIRECTION and IA
 No.1551/2018-impleading party and IA No.6537/2018-INTERVENTION
 APPLICATION and IA No.6666/2018-INTERVENTION APPLICATION)
 W.P. (C)No.372/2017
 W.P. (C) No.841/2017 (X)
 (FOR ADMISSION and IA No.119235/2017-AMENDMENT OF THE PETITION)
 W.P. (C) No.1058/2017 (PIL-W)
 W.P. (C) No.966/2017 (PIL-W)
 (FOR ADMISSION and IA No.102155/2017-GRANT OF INTERIM RELIEF)
 W.P. (C) No.1014/2017 (PIL-W)
 (FOR ADMISSION and I.R. and IA No.107091/2017-GRANT OF INTERIM
 RELIEF and IA No.122999/2017-impleading party)
 W.P. (C) No.1002/2017 (PIL-W)
 W.P. (C) No.1056/2017 (X)
 (and IA No.6196/2018-PERMISSION TO FILE ADDITIONAL DOCUMENTS)
 CONMT.PET. (C) No.34/2018 in W.P. (C) No.1014/2017 (PIL-W)
 (In W.P. (C)No.1014/2017, For admission Contempt. Pet. (C)no.34/2018
 is to be shown in w.p.(c)no.1014/2017)

Date : 15-03-2018 These petitions were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
 HON'BLE MR. JUSTICE A.K. SIKRI
 HON'BLE MR. JUSTICE A.M. KHANWILKAR
 HON'BLE DR. JUSTICE D.Y. CHANDRACHUD
 HON'BLE MR. JUSTICE ASHOK BHUSHAN

For Petitioner(s) Mr.K.V.Vishwanathan, Sr.Adv.
 (In WP(C) 833/13) Ms.Vrinda Bhandari, Adv.
 Mr.Gautam Bhatia, Adv.
 Mr.N.Sai Vinod, Adv.
 Mr.Shadan Farasat, AOR

In WP(C)1056/17 Mr.K.V.Vishwanathan, Sr.Adv.
 Ms.Vrinda Bhandari, Adv.
 Mr.Gautam Bhatia, Adv.
 Mr.N.Sai Vinod, Adv.
 Mr.T.V.S. Raghavendra Sreyas, AOR

Mr. Shyam Divan, Sr. Adv.
 Mr. Pratap Venugopal, Adv.
 Ms.Surekha Raman, Adv.
 Ms. Niharika, Adv.
 Mr. Udayaditya Banerjee, Adv.
 Ms. Kanika Kalaiyarasan, Adv.
 Ms. Sameeksha Godiyal, Adv.
 Mr. Prasanna S., Adv.

for M/s. K J John And Co., Advs. [AOR]

In WP(C) 1058/17

Mr.Anand Grover, Sr.Adv.
Mr.Priyam Lizmary Cherian, Adv.
Ms.Upasana Garnaik, Adv.
Mr.Varun Thomas, Adv.
Ms.Stuti Vatsa, Adv.
Mr.Anando Mukherjee, AOR

Mr.Rakesh Dwivedi, Sr.Adv.
Mr.Zoheb Hossain, Adv.
Ms.Sansriti Pathak, Adv.
Ms.Hemantika Wahi, Adv.

In T.C. (C) 152/13

Ms. Meenakshi Arora, Sr. Adv.
Mr. Rahul Narayan, AOR
Mr.Apar Gupta, Adv.
Mr.Nappinai N.A., Adv.
Ms.Ananya Ghose, Adv.
Ms.Bhavna Das, Adv.
Mr.Shashwat Goel, Adv.

Mr.Shyam Diwan, Sr.Adv.
Mr.Abhishek Atrey, AOR
Ms.Vidyattma, Adv.
Mr.Ravi Lokhundu, Adv.

WP(C)No.494/12

Mr.Anish Kumar Gupta, AOR
Mr.Avdhesh Kumar Singh, Adv.
Mr.Rajendra Kumar Singh, Adv.
Mr.Chandra Shekhar Suman, Adv.
Ms.Rita Gupta, Adv.
Ms.Deepshikha Bharati, Adv.
Ms.Harsha, Adv.

Mr.Gautam Bhatia, Adv.
Mr.Deepak Joshi, Adv.
Mr.Udayaditya Banerjee, Adv.

Ms.Aishwarya Bhati, AOR
Mr.Jaideep Singh, Adv.
Dr.Nupur Bhati, Adv.
Mr.Anirben Sen, Adv.
Mr.Gopal Thiruman, Adv.
Mr.Pavan Bhushan, Adv.
Mr.Jayavardhan Singh, Adv.
Mr.Vaidruti Mishra, Adv.

Mr.Prashant Bhushan, AOR
Ms.Cheryl D'Souza, Adv.

In WP(C) 231/16

Mr.Muhammad Ali Khan, Adv.
 Mr.Vikramaditya Singh, Adv.
 Mr.R.V.Prabhat, Adv.
 Mr.Gaurav Gupta, Adv.
 Mr.Omar Hoda, Adv.
 Mr.Jaspal Singh, Adv.
 Ms.Prianka Rao Khan, Adv.
 Mr.Namra Nasir, Adv.
 Mr.Gautam Talukdar, AOR

Mr.Vipin Nair, AOR

Ms.Jyoti Mendiratta, AOR

Ms.Archana Pathak Dave, AOR

Mr.P.R.Kovilan, Adv.
 Ms.Hemalatha, Adv.
 Ms. Geetha Kovilan, Adv.

Mr.Pranaya Kumar Mohapatra, AOR

In WP(C) 1014/17

Mr.Apar Gupta, Adv.
 Mr.Deepayan Mandal, AOR

Petitioner-in-person

Dr.Anindita Pujari, Adv.
 Ms.Kavita Bhardwaj, Adv.

Mr.Koshy John, Adv.
 Mr.Md.Nizam Pasha, Adv.
 Ms.Anusha Nagarajan, Adv.
 Mr.Adit Pujari, Adv.
 Mrs.Pragya Baghel, AOR
 Ms.Ranjeeta Rohatgi, Adv.
 Mr.Samten Doma, Adv.

Mr.Jawaher Raja, Adv.
 Mr.Pukhrambam Ramesh Kumar, Adv.
 Ms.Rahat Sharma, Adv.

For Respondent(s)
 Applicant(s)

Mr. K.K. Venugopal, AG
 Mr. Zoheb Hossain, AOR
 Mr.S.S.Shamshery, Adv.
 Ms. Ankur Talwar, Adv.
 Ms. Shraddha Deshmukh, Adv.
 Ms. Adeeba Mujahid, Adv.
 Mr. Rajat Nair, Adv.
 Mr.R.Balasubramaniam, Adv.
 Mr. Rajendra Dangwal, Adv.

Mr. Piyush Goyal, Adv.
Mr. Palash Maheshwari, Adv.
Mr. Fahad M. Khan, Adv.
Ms. Bhavita Kumar, Adv.
Mr. Kanu Aggarwal, Adv.
Mr. Raj Bahadur, Adv.

For State of Kerala Mr. V. Giri, Sr. Adv.

Mr. Nishe Rajan Shonker, Adv.
Mrs. Annu K. Joy, Adv.
Mr. Manav Vohra, Adv.
Mr. Krishna Dev J., Adv.
Mr. Amith Krishna, Adv.
Mr. Mohammed Sadique T.A., Adv.
Mr. Alim Anvar, Adv.
Ms. Svadha Shankar, Adv.

For State of Guj.

Mr. Rakesh Dwivedi, Sr. Adv.
Ms. Hemantika Wahi, AOR
Ms. Shodhika Sharma, Adv.
Ms. Sansriti Pathak, Adv.
Ms. Apoorva Garg, Adv.

In WP(C) 932/13 &
WP(C) 37/15

Mr. Jayant Bhushan, Sr. Adv.
Mr. Kuldeep S. Parihar, Adv.
Mr. H. S. Parihar, AOR

Mr. P. V. Surendra Nath, Sr. Adv.

For State of
Sikkim

Ms. Aruna Mathur, Adv.
Mr. Avneesh Arputham, Adv.
Ms. Anuradha Arputham, Adv.
Ms. Simran Jeet, Adv.
For M/S. Arputham Aruna And Co, AOR

Mr. Sajan Poovayya, Sr. Adv.
Mr. Priyadarshi Banerjee, Adv.
Mr. Pratibhanu S. Kharola, Adv.
Mr. Saransh Kumar, Adv.
Mr. Saransh Jain, Adv.
Mr. Madhavam Sharma, Adv.
Mr. Meka Venkata Rama Krishna, Adv.
Mr. E. C. Agrawala, AOR

For State of
Nagaland

Mr. Edward Belho, AAG
Ms. K. Enatoli Sema, Adv.
Mr. Amit Kumar Singh, Adv.
Mr. K. Luikang Michael, Adv.

Ms. Bina Madhavan, Adv.
Ms. Swati Bhardwaj, Adv.
Mr. Piyush Dwivedi, Adv.

Ms.Ramandeep Kaur, Adv.
Ms.Shreyasi Kunwar, Adv.
Ms.Elizabeth Antony, Adv.
For M/S. Lawyer S Knit & Co, AOR

Mr.Zoheb Hossain, Adv.
Ms.Rohini Musa, Adv.
Mr.N.R.Katneshwarkar, Adv.

Mr. Amit Mohan Meharia, Adv.
Ms. Tannishtha Singh, Adv.
Ms. Rishita Hall, Adv.
For M/s. Meharia & Company, Adv. [AOR]

Mr.Saikrishna Rajagopal, Adv.
Ms.Julien George, Adv.
Ms.Arundhati Gopal, Adv.
Mr.Arjun Ranganathan, Adv.
Ms.Vaneesha Jain, Adv.
Mr.Nikhil Nayyar, Adv.

Mr. Milind Kumar, AOR

Mr. M. Shoeb Alam, AOR
Ms. Fauzia Shakil, Adv.
Mr. Ujjwal Singh, Adv.
Mr. Mojahid Karim Khan, Adv.

Mr.Dinkar Kalra, AOR

For State of
Tripura

Mr.Gopal Singh, AOR
Mr.Rituraj Biwas, Adv.

Ms.Rashmi Singhanian, AOR

For E.C.I.

Mr.Mohit D. Ram, Adv.
Ms.Monisha Handa, Adv.
Mr.Bhagirath Patel, Adv.

For State of
Telangana

Mr.S. Udaya Kumar Sagar, AOR
Mr.Mrityunjai Singh, Adv.

For State of
Jharkhand

Mr.Tapesh Kumar Singh, AOR
Mohd.Waquas, Adv.

Mr.Jayesh Gaurav, Adv.
Mr.Ratan Kr.Choudhuri, Adv.

Ms.Savita Singh, AOR

Mr.Jayant Mohan, AOR

	Mr.Sanjay Kapur, AOR Ms. Megha Karnwal, Adv. Ms. Mansi Kapur, Adv. Ms. Shubhra Kapur, Adv.
For State of Karnataka	Mr. Devadatt Kamat, Addl. Adv. Gen. Mr. Joseph Aristotle S., Adv. Mrs. Priya Aristotle, Adv. Mr. Rajesh Inamdar, Adv. Mr. Ashish Yadav, Adv. Mr. Javedur Rehman, Adv. Mr. Aditya Bhat, Adv.
For State of Meghalaya	Mr.Ranjan Mukherjee, AOR Mr.Daniel Stone Lyngdoh, Adv. Mr. K.N. Madhusoodhanan, Adv. Ms. Nitya Madhusoodhanan, Adv. Mr. T. G. Narayanan Nair, AOR
For Govt. of Puducherry	Mr.V. G. Pragasam, AOR Mr.S.Prabu Ramasubramanian, Adv. Mr.S.Manuraj, Adv. Mr.Jagjit Singh Chhabra, AOR
For State of Uttarakhand	Mr.Jatinder Kumar Bhatia, Adv. Mr.Ashutosh Kumar Sharma, Adv.
For State of H.P.	Mr.Abhinav Mukerji, AAG Mrs.Bihu Sharma, Adv. Ms.Purnima Krishna, Adv. Mr.Mishra Saurabh, AOR Mr.Manish Vashishtha, AOR
For State of Haryana	Mr. Anil Grover, AAG Mr. Shivam Kumar, Adv. Mr. Sanjay Kumar Visen, AOR
For UT of Andaman & Nicobar Admn.	Mr. Bhupesh Narula, Adv. Mr. K.V. Jagdishvaran, Adv. Mrs. G. Indira, Adv. Ms.Radhika Chautervedi, Adv. Mr.Hitesh Kumar Sharma, Adv. Mr.S.K.Rajora, Adv.
For State of A.P.	Mr. Guntur Prabhakar, Adv. Ms.Prerna Singh, Adv.

Ms.Ruchi Kohli, AOR

Mr.S.Mukherjee, Adv.

Mr.Manoj K. Mishra, AOR

Mr.Umesh Dubey, Adv.

Mr.Ashish Kumar Mishra, Adv.

Mr.Varinder Kumar Sharma, AOR

M/S. Corporate Law Group, AOR

Mr.Aniruddha P. Mayee, AOR

Mr.Garvesh Kabra, AOR

Mr.Harish Pandey, AOR

Mr.Ashok Mathur, Adv.

Mr.R.Sudhinder, Adv.

Mr.Saumya Mehrotra, Adv.

Mrs.Anil Katiyar, AOR

Mr.Anip Sachthey, AOR

Ms.Anitha Shenoy, AOR

Dr.(Mrs.) Vipin Gupta, AOR

For State of W.B.

Mr.Soumitra G.Chaudhuri, Adv.

Mr.Chanchal Kumar Ganguli, AOR

Intervenor-in-person, AOR

Mr.Amit Sharma, AOR

Applicant-in-person

Ms.Nipun Saxena, Adv.

Mr.Namit Saxena, Adv.

Mr.Devanshu S., Adv.

Mr.Aditya P.Arora, Adv.

Mr.Digant K.Deo, Adv.

Ms.Pallavi Pratap, AOR

Mr.K.V.Vijayakumar, Adv.

Ms.Maitreyee Mishra, Adv.

Mr.Muthu Vel Palani M., Adv.

Mr.Jogy Scaria, AOR

Mr.Rabin Majumder, AOR

M/S. Khaitan & Co., AOR

Mr.Harsh Kaushik, AOR

Mr.K. R. Sasiprabhu, AOR

Mrs.Pragya Baghel, AOR

Dr.Lalit Bhasin, Adv.

Ms.Nina Gupta, Adv.

Mr. Mudit Sharma, AOR

For RR No.3 In
WP(C)1058/17

Mr. Anirudh Wadhawa, Adv.

Mr. Atul Shankar Vinod, Adv.

Mr. Dileep Pillai, Adv.

Mr.Bhargav Thali, Adv.

Mr. M. P. Vinod, AOR

For Intervenor

Syed Jafar Alam, Adv.

Ms.Shivani Khandekar, Adv.

Mr.Raj Kamal, Adv.

Mr.Siddhant Sharma, Adv.

Mr.Benamt Noor Singh Marok, Adv.

For State of
Manipur

Mr.Leishangthem Roshmani Kh., Adv.

Ms.Maibam Babina, Adv.

Mr.Fuzail Ahmad Ayyubi, Adv.

Mr.Ibad Mushtaq, Adv.

Mr.Karan Bharihoke, Adv.

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

Mr.K.V.Vishwanathan, learned senior counsel representing the petitioner in WP(C)No.833 of 2013 and W.P.(C)No.1056 of 2017 concluded his arguments. Thereafter, Mr.Anand Grover, learned senior counsel for the petitioner in W.P.(C)No.1058 of 2017 commenced and concluded his arguments. Ms.Meenakshi Arora, learned senior counsel for the petitioner in T.C.(C)No.152 of 2013 commenced her arguments, which remained inconclusive. Mrs.Meenakshi Arora, learned senior counsel has very fairly agreed that she will

conclude her arguments on 20.03.2018 within twenty minutes. Mr.Sajan Poovayya, learned senior counsel appearing on behalf of the applicant(s) in I.A.No.1551/2018 in W.P.(C)No.342 of 2017 undertakes that he will conclude his arguments within twenty minutes. Mr. P.V. Surendra Nath, learned senior counsel appearing on behalf of the applicant(s) would conclude his arguments within ten minutes. After the completion of arguments of the counsel for the petitioners, the Court shall proceed to hear the arguments of the learned Attorney General for India.

Let the matter be listed on 20.03.2018 for further hearing.

(Chetan Kumar)
Court Master

(H.S.Parasher)
Assistant Registrar