

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

Petition(s) for Special Leave to Appeal (Civil) No(s).25237/2010

(From the judgement and order dated 21/08/2009 in CMWP No.15440/1998 of The HIGH COURT OF JUDICATURE AT ALLAHABAD)

ABHAY SINGH

Petitioner(s)

VERSUS

STATE OF UTTAR PRADESH & ORS.

Respondent(s)

(With appln(s) for permission to file additional documents and exemption from filing O.T. and correction of pleadings and permission to file additional affidavit and c/delay in filing affidavit and intervention and office report)

WITH SLP(C) NO. 23984 of 2010

(With appln.(s) for urging addl.grounds and permission to file additional affidavit and exemption from filing O.T. and permission to file additional affidavit and with prayer for interim relief and office report)

Date: 09/07/2013 These Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI

HON'BLE MR. JUSTICE KURIAN JOSEPH

For Petitioner(s) Mr.Harish N.Salve, Sr.Adv.  
Ms.Christi Jain, Adv.  
Mr. Sushil Kumar Jain, A.O.R.

For Respondent(s) Mr.Mohan Parasaran, SG  
Mr.Aman Ahluwalia, Adv.  
Mr.Farrukh Rasheed, Adv.  
Mr.B.K.Prasad, Adv.

For NCT of Delhi Mr.Sidharth Luthra, ASG  
Mr.B.Chahar, Sr.Adv.  
Mr.Sunita Sharma, Adv.  
Ms.Supriya Juneja, Adv.

For State of Punjab Mr.Sidharth Luthra, ASG  
Mr.Ajay Bansal, AAG  
Mr.Kuldip Singh, Adv.  
Mr.Pardaman Singh, Adv.  
Mr.Gaurav Yadav, Adv.

For State of Sikkim Mr.A.Mariarputham, Adv.Genl.  
Mrs.Aruna Mathur, Adv.

For State of Uttarakhnad Mr.Rakesh Dwivedi, Sr.Adv.  
Mr. Abhishek Atrey, Adv.  
Mr.Prateek Dwivedi, Adv.

For State of Andhra Pradesh Mr.Koka Raghava Rao, Sr.Adv.  
Mr.G.N.Reddy, Adv.  
Mr.B.Debojit, Adv.  
Mr.Aadhithya P., Adv.

For State of H.P. Mr.Suryanarayana Singh, Adv.  
Ms.Pragati Neekhara, Adv.

For State of Haryana Mr.Manjit Singh, AAG  
Mr.Tarjit Singh, Adv.

For State of U.P. Mr.Gaurav Bhatia, AAG  
Mr.Anuvrat Sharma, Adv.

	Mr.Gautam Talukdar, Adv. Mr.Abhikalp Pratap Singh, Adv.
For State of Raj.	Mr.Jasbir Singh Malik, AAG Mr.Varun Punia, Adv.
For State of Assam	Mr.Riku Sarma, Adv. Mr.Navnit Kumar, Adv.
	Mrs.K.Enatoli Sema, Adv. Mr.Amit Kumar Singh, Adv.
For State of Guj.	Ms.Hemantika Wahi, Adv. Ms.Nandani Gupta, Adv.
For State of Bihar	Mr.Manish Kumar, Adv. Mr.Gopal Singh, A.O.R.
For State of Tripura	Mr.Ritu Raj Biswas, Adv. Mr.Gopal Singh, Adv.
For Govt. of Puducherry	Mr.V.G.Pragasam, Adv. Mr.S.J.Aristotle, Adv. Mr.Prabu Ramasubramaniam, Adv.
For State of Arunachal Pradesh	Mr.Anil Shrivastav, Adv. Mr.Rituraj Biswas, Adv.
For State of Odisha	Mr.Shibashish Misra, Adv. Mr.Suvinay Dash, Adv.
For State of M.P.	Mr.Mishra Saurabh, Adv.
For State of J&K	Mr.Sunil Fernandes, Adv. Ms.Insha Mir, Adv. Mr.Raghav Chadha, Adv.
For State of W.B.	Mr.Avijit Bhattacharjee, Adv. Mr.Bikas Kar Gupta, Adv. Ms.Sharbani Kar, Adv.
For State of Jharkhand	Mr.Jayesh Gaurav, Adv. Mr.Gopal Prasad, Adv.
For State of Chhatisgarh	Mr.C.D.Singh, Adv. Ms.Sakshi Kakkar, Adv.
For State of T.N.	Mr.Subramaniam Prasad,AAG Mr.B.Balaji, Adv. Mr.R.Rakesh Sharma, Adv.
For State of Manipur	Mr.Sapam Biswajit M., Adv. Mr.Kh.Nobin Singh, Adv.
For State of Goa	Mr.Siddharth Bhatnagar, Adv. Mr.Pawan Kr.Bansal, Adv. Mr.T.Mahipal, Adv.
For State of Mah.	Mr.Shankar Chillarge, Adv. Ms.Asha G.Nair, Adv.
For Andaman and Nicobar Admn.	Mr.Balasubramaniam, Adv. Mr.K.V.Jagdishvaran, Adv. Mrs.G.Indira, Adv.
For State of Meghalaya	Mr.Ranjan Mukherjee, Adv. Mr.T.M.Singh, Adv.

Mr.Ramesh Babu M.R., Adv.

Mr. Gunnam Venkateswara Rao, Adv.

Mr. Sunil Kumar Jain, Adv.

Mr. V.N. Raghupathy, Adv.

Mr. Jatinder Kumar Bhatia, Adv.

Mr. P.V. Yogeswaran, Adv.

Mr. Dharmendra Kumar Sinha, Adv.

Mr. Balaji Srinivasan, Adv.

Ms. Anuradha Mutatkar, Adv.

Mr.C.D.Singh, Adv.

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

In compliance of the direction given by the Court, Principal Secretary, Home (Punjab) and Additional Chief Secretary Home (Haryana) have appeared in person. Shri Sidharth Luthra, learned Additional Solicitor General and Shri Manjit Singh, learned Additional Advocate General, Haryana gave out that both the officers have expressed their apology for their failure to understand the directions given by the Court in correct perspective.

The explanation given by the officers is accepted. They need not appear on future dates of hearing.

Shri Harish N.Salve, learned senior counsel, invited our attention to the affidavit filed by the Home Secretary, Government of India and pointed out that despite repeated communications sent by the Home Secretary, a number of State Governments and Union Territory, Chandigarh did not respond.

Learned counsel representing the concerned States and Union Territories could not give any satisfactory explanation for lapses on the part of their respective Governments and the Administration of the Union Territory of Chandigarh.

For the time being, we do not want to express any opinion or pass an order but do indicate that the lack of response by the officers of the State Governments and the Union Territory of Chandigarh would require serious consideration by this Court on the next date.

Since we are not sitting in this combination as Regular Bench, we direct that the matter may now be listed for directions before the Regular Bench on 05.08.2013.

It is made clear to the learned counsel representing the Union of India, the State Governments and the Union Territories that these cases shall not be adjourned for any reason whatsoever.

(Satish K.Yadav)  
Court Master

(Usha Sharma)  
Court Master