

ITEM NO.302

COURT NO.3

SECTION XI

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 permisson to file additional affidavit and exemption from filing O.T. and permisson 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 Neekhra, 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