

ITEM NO.15

Court 1 (Video Conferencing)

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(Civil) No.1422/2019

KARUNAKAR MAHALIK

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(IA No. 136154/2020 - EXEMPTION FROM FILING O.T. & IA No.185316/2019 - EXEMPTION FROM FILING O.T.)

WITH

SMW(Cr1) No. 2/2021 (PIL-W)

(IA No. 93461/2021 - EXEMPTION FROM FILING AFFIDAVIT, IA No.93464/2021 - EXEMPTION FROM FILING O.T., IA No. 93387/2021 - INTERVENTION APPLICATION, IA No. 97034/2021 - INTERVENTION/IMPLEADMENT)

W.P.(C) No. 867/2021 (PIL-W)

(FOR ADMISSION and IA No.94257/2021-PERMISSION TO APPEAR AND ARGUE IN PERSON)

Date : 17-08-2021 These matters were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE SURYA KANT

HON'BLE MR. JUSTICE ANIRUDDHA BOSE

For Petitioner(s)

Mr. Rakesh Kumar Khanna, Sr. Adv.

Mr. Durga Dutt, AOR

Mr. Rohit Priyadarshi, Adv.

Mr. Upendra Mishra, Adv.

Mr. Rajesh Rai, Adv.

Dr. Gajendra Prasad Singh, Adv.

Mrs. Nitu Kumari, Adv.

Mr. Priyanshu Upadhyay, Adv.

Mr. Kousik Ghosh, Adv.

Petitioner-in-person

By Courts Motion

For Respondent(s)

For UOI	Mr. Tushar Mehta, SG Mr. K.M. Nataraj, ASG Mr. R. Bala, Sr. Adv. Mr. D.N. Goburdhan, Adv. Ms. Shraddha Deshmukh, Adv. Mr. Rajat Nair, Adv. Ms. Suhashini Sen, Adv. Mr. Sidhant Kohli, Adv. Mr. Kanu Agrawal, Adv. Mr. Ankur Talwar, Adv. Mr. B. V. Balaram Das, AOR Mr. Arvind Kumar Sharma, AOR
For B.C.I.	Mr. Manan Kumar Mishra, Sr. Adv. Mr. S. N. Bhat, AOR
For SCI through Secretary General	Mr. Prashant Singh, AOR
For State of Arunachal Pradesh	Mr. Abhimanyu Tewari, AOR Mz. Eliza Bar, Adv.
For State of Tamil Nadu	Dr. Joseph Aristotle S., AOR Ms. Preeti Singh, Adv. Ms. Ripul Swati Kumari, Adv.
For States of Assam & Tripura	Mr. Devajit Lon Saikia, AG, Assam Mr. Nalin Kohli, Sr. AAG, Assam Mr. Shuvodeep Roy, AOR Mr. Kabir Shankar Bose, Adv.
For State of Bihar	Mr. Abhinav Mukerji, AOR
For State of Goa	Mr. Subodh S. Patil, AOR
For State of Gujarat	Ms. Deepanwita Priyanka, Adv. Mr. Aniruddha P. Mayee, AOR
For State of Haryana	Mr. Anil Grover, Sr.AAG Mr. Sanjay Kumar Visen, AOR Ms. Noopur Singhal, Adv. Mr. Rahul Khurana, Adv. Mr. Satish Kumar, Adv. Mr. Amit Sahni, Adv.
For State of Karnataka	Mr. V. N. Raghupathy, AOR Mr. Md. Apzal Ansari, Adv.

For State of Kerala	Mr. G. Prakash, AOR Ms. Priyanka Prakash, Adv. Ms. Beena Prakash, Adv.
For State of MP	Mr. Mrinal Gopal Elker, AOR
For State of Manipur	Mr. Pukhrambam Ramesh Kumar, AOR Ms. Anupama Ngangom, Adv. Mr. Karun Sharma, Adv.
For State of Meghalaya	Mr. Amit Kumar, AG Mr. Avijit Mani Tripathi, AOR Mr. Shaurya Sahay, Adv. Mr. T.K. Nayak, Adv.
For State of Mizoram	Mr. Siddhesh Kotwal, Adv. Ms. Ana Upadhyay, Adv. Ms. Manya Hasiya, Adv. Mr. Nirnimesh Dube, AOR
For State of Nagaland	Ms. K. Enatoli Sema, AOR Mr. Amit Kr. Singh, Adv. Ms. Chubalemla Chang, Adv.
For State of Odisha	Mr. Som Raj Choudhury, AOR
For State of Punjab	Mr. Atul Nanda, AG Ms. Uttara Babbar, AOR Mr. Manan Bansal, Adv.
For State of Rajasthan	Dr. Manish Singhvi, Sr. Adv. Mr. Sandeep Kumar Jha, AOR
For State of Sikkim	Mr. Narendra Kumar, AOR Mr. Raghvendra Kumar, Adv. Mr. Anand Kumar Dubey, Adv. Mr. Nishant Verma, Adv.
For State of Telangana	Mr. S. Udaya Kumar Sagar, AOR Ms. Sweena Nair, Adv.
For State of UP	Ms. Garima Prasad, AAG Mr. Pradeep Misra, Adv. Mr. Suraj Singh, Adv. Mr. Manoj Kr. Sharma, Adv. Mr. Bhuwan Chandra, Adv.

	Ms. Ruchira Goel, AOR
For State of Uttarakhand	Mr. Ankur Prakash, AOR Mr. Ashutosh Kumar Sharma, Adv.
For Impleader	Dr. Sushil Balwada, AOR Mr. Sandiv Kalia, Adv. Ms. Reena Rao, Adv. Mr. Satbir Singh Pillania, Adv. Mr. Upendra Narayan Mishra, Adv.
For Intervenor	Mr. Anand S. Jondhale, Adv. Mr. Abdul Qadir, Adv. Mr. Sunil Prem Lalla, Adv. Ms. Yashoda Jondhale, Adv. Mr. Atiqur Rahman Siddiqui, Adv. Mr. Gulfeshan Javed, Adv. Mr. Satish Pandey, AOR
For Impleader	Mr. Arvind Kumar Sharma, AOR
For Intervenor	Mr. V. K. Biju, AOR Mr. Amlendu Kumar Akhilesh Kumar Jha, Adv. Mr. Shaji George, Adv.
For State of Jharkhand	Mr. Rajiv Ranjan, AG Mr. Arunabh Chowdhury, AAG Mr. Krishnaraj Thaker, AAG Ms. Pragya Baghel, Adv. Ms. Pallavi Langar, AOR Mr. Kumar Anurag Singh, Adv.
For State of Andhra Pradesh	Mr. Mahfooz A. Nazki, AOR (Not Present)
For Intervenor (All India Judges Association)	Ms. Mayuri Raghuvanshi, AOR Mr. Vyom Raghuvanshi, Adv. Ms. Purvat Wali, Adv.

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

The Court is convened through Video Conferencing.

Heard Mr. Tushar Mehta, learned Solicitor General appearing for the Union of India and learned counsel appearing for the States.

Learned Solicitor General has drawn our attention to the counter affidavit filed by the Union of India on 14-9-2020.

During the course of hearing, learned counsel appearing for the States of Manipur, Jharkhand & Gujarat state that they have filed their respective Counter Affidavits yesterday.

Learned counsel appearing for the State of Kerala prays for and is granted 10 days' time from today to file counter affidavit, subject to the condition that the said State shall pay costs of Rs.1,00,000/- to be deposited with the Supreme Court Bar Association Advocates' Welfare Fund.

The remaining States which have not filed their counter affidavits so far shall also file the same within a period of 10 days from today, subject to deposit of costs of Rs.1,00,000/- with the Supreme Court Bar Association Advocates' Welfare Fund, failing which we would be compelled to seek the presence of the Chief Secretaries of the concerned States.

Mr. Manan Kumar Mishra, learned Senior counsel appearing for the Bar Council of India is also permitted to file affidavit and suggestions on this issue and one week's time is granted for the said purpose.

List the matters after 10 days.

(VISHAL ANAND)
ASTT. REGISTRAR-cum-PS

(R.S. NARAYANAN)
COURT MASTER (NSH)