

REVISED

ITEM NO.5

COURT NO.3

SECTION PIL-W

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

Writ Petition (Civil) No. 943/2021

ASHWINI KUMAR UPADHYAY

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(IA No. 210225/2023 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 192188/2023 - INTERVENTION APPLICATION, IA No. 171810/2022 - INTERVENTION APPLICATION and IA No. 210218/2023 - INTERVENTION/IMPLEADMENT)

WITH

W.P.(C) No. 788/2020 (PIL-W)

(IA No. 50785/2020 - INTERVENTION/IMPLEADMENT, IA No. 48329/2020 - INTERVENTION/IMPLEADMENT and IA No. 72236/2020 - STAY APPLICATION)

W.P.(C) No. 789/2020 (PIL-W)

(IA No. 50786/2020 - INTERVENTION/IMPLEADMENT, IA No. 48338/2020 - INTERVENTION/IMPLEADMENT and IA No. 72228/2020 - STAY APPLICATION)

W.P.(C) No. 477/2020 (PIL-W)

(IA No. 48986/2020 - EX-PARTE STAY, IA No. 48987/2020 - EXEMPTION FROM FILING O.T. and IA No. 51005/2020 - INTERVENTION/IMPLEADMENT)

W.P.(C) No. 956/2020 (PIL-W)

(IA No. 91135/2020 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 93533/2020 - CLARIFICATION/DIRECTION, IA No. 96666/2020 - EARLY HEARING APPLICATION, IA No. 91171/2020 - EXEMPTION FROM FILING AFFIDAVIT, IA No. 91136/2020 - EXEMPTION FROM FILING AFFIDAVIT, IA No. 105261/2020 - EXEMPTION FROM FILING AFFIDAVIT, IA No. 94614/2020 - EXEMPTION FROM FILING AFFIDAVIT, IA No. 91134/2020 - EXEMPTION FROM FILING AFFIDAVIT, IA No. 94600/2020 - EXEMPTION FROM FILING AFFIDAVIT, IA No. 94685/2020 - EXEMPTION FROM FILING AFFIDAVIT, IA No. 98416/2020 - EXEMPTION FROM FILING AFFIDAVIT, IA No. 90944/2020 - EXEMPTION FROM FILING AFFIDAVIT, IA No. 93535/2020 - EXEMPTION FROM FILING AFFIDAVIT, IA No. 94668/2020 - EXEMPTION FROM FILING AFFIDAVIT, IA No. 92913/2020 - EXEMPTION FROM FILING AFFIDAVIT, IA No. 92885/2020 - INITIATING CONTEMPT PROCEEDINGS, IA No. 94633/2020 - INTERVENTION APPLICATION, IA No. 95678/2020 - INTERVENTION APPLICATION, IA No. 108087/2020 - INTERVENTION APPLICATION, IA No. 95675/2020 - INTERVENTION APPLICATION, IA No. 95066/2020 - INTERVENTION APPLICATION, IA No. 96664/2020 - INTERVENTION APPLICATION, IA No. 94643/2020 - INTERVENTION

APPLICATION, IA No. 96369/2020 - INTERVENTION APPLICATION, IA No. 94621/2020 - INTERVENTION/IMPLEADMENT, IA No. 94683/2020 - INTERVENTION/IMPLEADMENT, IA No. 98414/2020 - INTERVENTION/IMPLEADMENT, IA No. 94667/2020 - INTERVENTION/IMPLEADMENT and IA No. 105260/2020 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

SLP(C) No. 6913/2021 (XII-A)

(FOR ADMISSION and I.R. and IA No.61254/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.61346/2021-EXEMPTION FROM FILING AFFIDAVIT and IA No.61255/2021-EXEMPTION FROM FILING AFFIDAVIT and IA No.61345/2021-INTERVENTION/IMPLEADMENT and IA No.61253/2021-PERMISSION TO APPEAR AND ARGUE IN PERSON)

W.P.(CrI.) No. 391/2021 (X)

(FOR ADMISSION and IA No.118374/2021-EX-PARTE AD-INTERIM RELIEF and IA No.118376/2021-EXEMPTION FROM FILING O.T. and IA No.118377/2021-EXEMPTION FROM FILING AFFIDAVIT)

W.P.(C) No. 1265/2021 (X)

(FOR ADMISSION and IA No.150287/2021-EXEMPTION FROM FILING O.T.)

W.P.(C) No. 24/2022 (PIL-W)

(IA No. 30382/2023 - INTERVENTION APPLICATION)

W.P.(C) No. 80/2022 (PIL-W)

(FOR ADMISSION and IA No.17397/2022-EXEMPTION FROM FILING O.T.)

W.P.(C) No. 940/2022 (PIL-W)

(IA No. 84999/2023 - APPLICATION FOR PERMISSION, IA No. 60674/2023 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 86057/2023 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 155570/2023 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 35185/2023 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 23156/2023 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 149401/2023 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 6915/2023 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 176938/2022 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 73252/2023 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 99986/2023 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 72312/2023 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 72231/2023 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 72195/2023 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 90302/2023 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 153093/2023 - CLARIFICATION/DIRECTION, IA No. 91152/2023 - CLARIFICATION/DIRECTION, IA No. 84989/2023 - EXEMPTION FROM FILING O.T., IA No. 77799/2023 - EXEMPTION FROM FILING O.T., IA No. 101702/2023 - EXEMPTION FROM FILING O.T. and IA No. 90303/2023 - INTERVENTION/IMPLEADMENT)

SLP(CrI) No. 5107/2023 (II-C)

CONMT.PET.(C) No. 1111/2023 in W.P.(C) No. 940/2022 (PIL-W)

CONMT.PET.(C) No. 776/2023 in W.P.(C) No. 940/2022 (PIL-W)

(FOR APPROPRIATE ORDERS/DIRECTIONS ON IA 63957/2023)

Diary No(s). 11853/2023 (PIL-W)

W.P.(C) No. 515/2023 (PIL-W)

(FOR ADMISSION and IA No.88202/2023-EXEMPTION FROM FILING O.T.)

CONMT.PET.(C) No. 1153/2023 in W.P.(C) No. 943/2021 (PIL-W)

(FOR ADMISSION)

CONMT.PET.(C) No. 1235/2023 in W.P.(C) No. 940/2022 (PIL-W)

(FOR ADMISSION)

Date : 29-11-2023 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJIV KHANNA

HON'BLE MR. JUSTICE S.V.N. BHATTI

For Petitioner(s)

Mr. Gopal Sankaranarayanan, Sr. Adv. (N/P)
Mr. Ashwani Kumar Dubey, AOR
Mr. Chandra Shekhar, Adv.
Ms. Tanya Srivastava, Adv.
Mr. Vishal Sinha, Adv.
Mr. Rishabh Shukla, Adv.

Ms. Farhat Jahan Rehmani, Adv.
Mr. Faizan Khan, Adv.
Mr. Danish Saifi, Adv.
Mr. Nasim Anwar, Adv.
Mr. Rashid N Azam, Adv.
Mr. Mohd Jawaaid H. Khan, Adv.
Mr. Padhmanabha Raja K R, Adv.
Mr. Satish Solanki, Adv.
Mr. Ritesh Kumar, Adv.
Mr. Shafik Ahmed, Adv.
Mr. Anju Sharma, Adv.
Mr. V. Elanchezhiyan, AOR

Mr. Vishnu Kant, AOR
Mr. Pavan Narang, Adv.
Mr. Himanshu Sethi, Adv.
Ms. Aishwarya Chhabra, Adv.

Petitioner-in-person

Mr. C. George Thomas, Adv.
Mr. Mrigank Prabhakar, AOR

Mr. Adeel Ahmed, AOR
Mr. Raja Chatterjee, Adv.
Mr. Abdur Razzaque Bhuyan, Adv.
Mr. Piyush Sachdev, Adv.

Ms. Anupama Gupta, Adv.
Ms. Riya Dutta, Adv.
Ms. Tiya Dutta, Adv.
Ms. Sana Parveen, Adv.
Ms. Lilly Biswas, Adv.

Ms. Sumita Hazarika, AOR

Mr. Shyam Divan, Sr. Adv. (N/P)
Mr. Senthil Jagadeesan, AOR
Mr. Vinayak Bhandari, Adv.
Mr. Sajal Jain, Adv.
Ms. Sonakshi Malhan, Adv.

Mr. Nizam Pasha, Adv.
Ms. Rashmi Singh, Adv.
Ms. Dharitry Phookan, AOR

Mr. Hari Shankar Jain, Adv.
Mr. Vishnu Shankar Jain, AOR
Mr. Parth Yadav, Adv.
Ms. Mani Munjal, Adv.
Ms. Marbiang Khongwir, Adv.

Ms. Preeti Singh, AOR
Mr. Sunklan Porwal, Adv.

Mr. Pulkit Agarwal, AOR

Mr. Siddharth Aggarwal, Sr. Adv.
Ms. Tara Narula, Adv.
Ms. Sowjanya Shankaran, Adv.
Ms. Sylona Mohapatra, AOR
Mr. Harsh Yadav, Adv.
Ms. Maitreya Subramaniam, Adv.
Mr. Chaitanya Sundriyal, Adv.
Ms. Mantika Vohra, Adv.

Mr. M.R. Shamshad, AOR
Mr. Arijit Sarkar, Adv.
Ms. Nabeela Jamil, Adv.

Mr. Huzefa Ahmadi, Sr. Adv. (N/P)
Mr. Talha Abdul Rahman, AOR
Ms. Shahrukh Alam, Adv.
Ms. Warisha Farasat, Adv.
Ms. Hrishika Jain, Adv.
Mr. Aman Naqvi, Adv.
Ms. Natasha Maheshwari, Adv.
Ms. Mreganka Kukreja, Adv.
Mr. Harshit Anand, Adv.
Mr. Adnan Yousuf, Adv.
Mr. M. Shaz Khan, Adv.

For Respondent(s)

Mr. Tushar Mehta, SG (N/P)
 Mr. K.M. Nataraj, A.S.G.
 Mr. Gurmeet Singh Makker, AOR
 Mr. Kanu Agrawal, Adv.
 Mr. Rajat Nair, Adv.
 Mr. Mayank Pandey, Adv.
 Mr. Sanjay Kumar Tyagi, Adv.
 Mr. Varun Chugh, Adv.
 Mr. Siddharth Dharamadhikari, Adv.
 Ms. Saumya Tandon, Adv.

Mr. Tushar Mehta, SG (N/P)
 Mr. K.M. Nataraj, A.S.G.
 Mr. Kanu Agarwal, Adv.
 Mr. Rajat Nair, Adv.
 Mr. S.K. Tyagi, Adv.
 Mr. Mayank Pandey, Adv.
 Mr. Varun Chugh, Adv.
 Mr. Amit Sharma-II, Adv.
 Mr. Rajan Kumar Chourasiya, Adv.
 Mr. Arvind Kumar Sharma, AOR

Mr. K.M. Nataraj, A.S.G.
 Ms. Garima Prashad, Sr. A.A.G.
 Ms. Ruchira Goel, AOR
 Mr. Satwik Misra, Adv.
 Ms. Indira Bhakar, Adv.
 Mr. Adit Jayeshbhai Shah, Adv.
 Mr. Sharanya Sinha, Adv.

M/s. Venkat Palwai Law Associates, AOR

Mr. Tushar Mehta, SG (N/P)
 Mr. S.V. Raju, ASG (N/P)
 Mr. Siddharth Dharmadhikari, Adv.
 Mr. Aaditya Aniruddha Pande, AOR
 Mr. Bharat Bagla, Adv.
 Mr. Sourav Singh, Adv.
 Mr. Aditya Krishna, Adv.
 Ms. Raavi Sharma, Adv.

Mr. Shreekant Neelappa Terdal, AOR

Mr. Tushar Mehta, SG (N/P)
 Mr. K.M. Nataraj, A.S.G.
 Mr. Kanu Agrawal, Adv.
 Mr. Rajat Nair, Adv.
 Mr. Amit Sharma B., Adv.
 Mr. A.K. Kaul, Adv.
 Mrs. Saumya Tandon, Adv.
 Mr. Siddharth Dharamadhikari, Adv.

Mr. Amrish Kumar, AOR

Mr. Tushar Mehta, SG (N/P)

Mr. K.M. Natraj, A.S.G.

Mr. Kanu Agarwal, Adv.

Mr. Rajat Nair, Adv.

Mr. Mayank Pandey, Adv.

Mr. Sanjay Kr. Tyagi, Adv.

Mr. Varun Chugh, Adv.

Mr. Saumya Tandon, Adv.

Mr. Siddharth Daramadhikari, Adv.

Mr. Rajan Kumar Chaurasia, Adv.

Mr. Vishnu Jain, Adv.

Mr. P.V. Yogeshwaran, Adv.

Mr. Annam Venkatesh, Adv.

Mr. Mukesh Kumar Maroria, AOR

Mr. Anshuman Ashok, AOR

Mr. Abhishek Atrey, AOR

Mr. Jatinder Kumar Sethi, D.A.G.

Mr. Ashutosh Kumar Sharma, Adv.

Dr. Abhishek Atrey, Adv.

Mr. Sri Harsha Peechara, Adv.

Mr. Duvvuri Subrahmanya Bhanu, Adv.

Ms. Pallavi, Adv.

Ms. Kriti Sinha, Adv.

Mr. Akshat Kulshreshtha, Adv.

Mr. Rajiv Kumar Choudhry, AOR

Mr. V.N. Raghupathy, AOR

Mr. Manendra Pal Gupta, Adv.

Mr. M. Bangaraswamy, Adv.

Mr. Amit Sharma, AOR

Mr. Dipesh Sinha, Adv.

Ms. Pallavi Barua, Adv.

Ms. Aparna Singh, Adv.

Ms. Nisha Bhambhani, Adv.

Mr. Rajat Arora, AOR

Ms. Mariya Shahab, Adv.

Mr. Nibin Louis, Adv.

Mr. Anand Shankar, AOR

Mr. Vishnu Shankar Jain, AOR

Mr. Parth Yadav, Adv.

Ms. Mani Munjal, Adv.

Ms. Marbiang Khongwir, Adv.

Mr. Lokesh Sinhal, Sr. A.A.G.

Dr. Monika Gusain, AOR

Mr. Sumeer Sodhi, AOR
Mr. Dhruv Wadhwa, Adv.

Mrs. Nilofar Khan, A.A.G.
Mr. Milind Kumar, AOR
Mr. Anjum Parvez, Adv.

Mr. Devidas Pangam, Adv.
Mr. Abhay Anil Anturkar, Adv.
Mr. Dhruv Tank, Adv.
Mr. Aniruddha Awalgaonkar, Adv.
Ms. Surbhi Kapoor, AOR

Ms. Swati Ghildiyal, AOR
Ms. Devyani Bhatt, Adv.

Mr. Nishant Kumar , AOR

Mr. Parth Awasthi, Adv.
Mr. Pashupathi Nath Razdan, AOR
Ms. Maitreyee Jagat Joshi, Adv.
Mr. Astik Gupta, Adv.
Ms. Akanksha Tomar, Adv.

Mr. Pukhrambam Ramesh Kumar, AOR
Mr. Karun Sharma, Adv.
Ms. Rajkumaridiviyasana, Adv.

Mr. Siddhesh Shirish Kotwal, AOR
Ms. Ana Upadhyay, Adv.
Ms. Manya Hasija, Adv.
Mr. Tejasvi Gupta, Adv.
Mr. Pawan Upadhyay, Adv.
Mr. T. Illayarasu, Adv.

Mr. Gaurav Khanna, AOR

Ms. Muskan Surana, Adv.
Ms. Astha Sharma, AOR

Mr. Chitranshul A. Sinha, AOR

Mr. Sanjay Hegde, Sr. Adv.
Mr. Shahrukh Ali, Adv.
Mr. Tanay Hegde, Adv.
Mr. Anas Tanwir, Adv.
Mr. Ankit Tiwari, Adv.
Ms. Stuti Srivastava, Adv.
Mr. Mrigank Prabhakar, AOR

Ms. K. Enatoli Sema, AOR

Ms. Limayinla Jamir, Adv.
Mr. Amit Kumar Singh, Adv.
Ms. Chubalemla Chang, Adv.
Mr. Prang Newmai, Adv.

Mr. Ashutosh Dubey, AOR

Mr. Suvidutt M.S., AOR
Ms. Deepika Singh, Adv.
Ms. Disha Puri, Adv.
Mr. Rishesh Sikarwar, Adv.
Mrs. Renu Yadav, Adv.
Mr. Moirangmayum Chittaranjan Singh, Adv.
Mr. Aman Khullar, Adv.

Mr. Upendra Pratap Singh, AOR

Mr. Vishnu Shankar Jain, AOR
Mr. Parth Yadav, Adv.
Ms. Mani Munjal, Adv.
Ms. Marbiang Khongwir, Adv.

Mr. Awanish Sinha, AOR
Mr. Darshan Chandrakant Siddarkar, Adv.
Dr. Mahesh Y.reddy, Adv.
Mr. Vijay Singh, Adv.
Mr. Baiju Varkey Varughese, Adv.
Mr. Arvind Kumar, Adv.
Mr. Mayur Raj, Adv.

Mr. Devendra Singh, AOR

Mr. Abhimanyu Tewari, AOR
Ms. Eliza Barr, Adv.

Mr. Mishra Saurabh, AOR

Mr. P.V. Surendrnath, Sr. Adv.
Mr. Subhash Chandran K.R., Adv.
Mr. Biju P. Raman, AOR
Ms. Krishna L R, Adv.
Mr. John Thomas Arakal, Adv.

Mr. Barun Kumar Sinha, Adv.
Mrs. Pratibha Sinha, Adv.
Mr. Sneh Vardhan, Adv.
Mr. Rakesh Muddgal, Adv.
Mr. Pankaj Kumar Shukla, Adv.
Mr. Ritu Raj, Adv.
Mr. Niraj Kumar, Adv.
Mr. Abhishek, AOR

Mr. Vishal Prasad, AOR

Mr. Vishnu Shankar Jain, AOR
Mr. Parth Yadav, Adv.
Ms. Mani Munjal, Adv.
Ms. Marbiang Khongwir, Adv.

Mr. Gautam Bhatia, Adv.
Mr. Anas Tanwir, AOR
Mr. Ebad Ur Rahman, Adv.

Mr. Kaleeswaram Raj, Adv.
Ms. Thulasi K Raj, Adv.
Ms. Aparna Menon, Adv.
Mr. Mohammed Sadique T.A., AOR

Ms. Liz Mathew, AOR
Mr. Talha Abdul Rahman, AOR

Ms. Muskan Surana, Adv.
Ms. Astha Sharma, AOR

Mr. Ashwani Bhardwaj, AOR

Mr. Shadan Farasat, AOR
Ms. Warisha Farasat, Adv.
Mr. Harshit Anand, Adv.
Mr. Aman Naqvi, Adv.
Ms. Hrishika Jain, Adv.
Ms. Natasha Maheshwari, Adv.
Ms. Mreganka Kukreja, Adv.

Mr. Ilin Saraswat, Adv.
Ms. Swati Jain, Adv.
Mr. Loveesh Kashyap, Adv.
Ms. Ilma Saifi, Adv.
Mr. Saurabh Yadav, Adv.
Mr. Abhishek Yadav, AOR

Mr. Jatinder Kumar Sethi, D.A.G.
Mr. Abhishek Atrey, AOR
Mr. Ashutosh Kumar Sharma, Adv.
Dr. Abhishek Atrey, Adv.

Mr. Surender Kumar Gupta, AOR
Ms. Manju Jetley, AOR

Mr. Sanjay Parikh, Sr. Adv.
Ms. Srishti Agnihotri, AOR
Ms. Tara Elizabeth Kurien, Adv.

Mr. Harsh Kaushik, AOR

Mr. Anand Shankar, AOR

Mr. Sunil Fernandes, AOR

Mr. Dhawal Uniyal, AOR
Mr. Naresh Kumar, Adv.

Ms. Pinky Anand, Sr. Adv. (N/P)
Mr. Sumit Teterrwal, AOR
Mr. Balendu Shekhar, Adv.
Ms. Saudamini Sharma, Adv.
Ms. Asees Kaur, Adv.
Ms. Tanisha Samanta, Adv.

Mr. Kaleeswaram Raj, Adv.
Mr. Nishe Rajen Shonker, AOR
Mrs. Anu K. Joy, Adv.
Ms. Thulasi K Raj, Adv.
Mr. Alim Anvar, Adv.
Ms. Aparna Menon, Adv.
Mr. Abraham Mathew, Adv.

Mr. Sameer Abhyankar, AOR
Ms. Vani Vandana Chhetri, Adv.
Ms. Nishi Sangtani, Adv.
Mr. Naman Jain, Adv.
Ms. Zinnea Mehta, Adv.

Mr. Sunil Dalal, Sr. Adv.
Mr. Shoumendu Mukherji, AOR
Mr. Soumava Karmakar, Adv.
Ms. Manisha Saroha, Adv.
Mr. Nikhil Beniwal, Adv.
Ms. Megha Sharma, Adv.
Ms. Akanksha Gupta, Adv.
Mr. Satya Ranjan Swain, Adv.
Mr. Sahaj Garg, Adv.
Mr. Deepanshu Badiwal, Adv.
Mr. Chetanya Puri, Adv.

Mr. Nishant Kumar , AOR

Mr. Pratik R. Bombarde, AOR
Mr. Reepak Kansal, Adv.
Mr. Dharama Datta Verma, Adv.

Ms. Rebecca John, Sr. Adv.
Mr. Ajay Pal, AOR
Mr. Mayank Dahiya, Adv.
Ms. Sugandh Rathor, Adv.

Mr. Kirti Uppal, Sr. Adv.
Mr. Piyush Beriwal, AOR
Mr. Aman Jha, Adv.

Mr. Amit Tiwari, Adv.
Mr. Rishi Tutu, Adv.
Ms. Priyanka Garg, Adv.
Ms. Priya Mishra, Adv.
Mr. Rudra Paliwal, Adv.
Mr. Shrey Sehrawat, Adv.
Mr. Kushagra Kumar Kansal, Adv.
Mr. Chandan Sinha, Adv.

Mr. Shovan Mishra, AOR
Ms. Bipasa Tripathy, Adv.

Ms. Ranjeeta Rohatgi, AOR

Ms. Swati Ghildiyal, AOR
Ms. Devyani Bhatt, Adv.

Mr. Mehmood Umar Faruqui, AOR
Mr. Ravi Sharma, AOR

Ms. Radhika Chaturvedi, Adv.
Mr. Hitesh Kumar Sharma, Adv.
Mr. Akhileshwar Jha, Adv.
Mr. Amit Kumar Chawla, Adv.
Ms. Ritika Raj, Adv.
Mr. Neeraj Singh, Adv.
Mr. Ravish Kumar Goyal, Adv.
Mr. Anil Kumar, Adv./AOR

Mr. Avijit Mani Tripathi, AOR
Ms. Marbiang Khongwir, Adv.
Mr. T.K. Nayak, Adv.

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

The Union of India has filed a status report on 20.11.2023, giving the list of 28 States and Union Territories, which had appointed Nodal Officers in compliance of the order dated 17.07.2018 passed by this Court in *Tehseen S. Poonawalla vs. Union of India & Ors.*¹.

During the course of hearing, learned counsel appearing for the State of West Bengal has stated that the Nodal Officer has been

1 (2018) 9 SCC 501

appointed.

Court notice will be issued to the standing/nominated counsel for the States of Gujarat, Kerala, Nagaland and Tamil Nadu to state whether they have appointed Nodal Officers in compliance of the aforesaid order. Affidavit in this regard will be filed by the respective States within four weeks from today. Details and particulars of the Nodal Officers shall be stated.

As there are large number of writ petitions/special leave petitions/contempt petitions/applications pending before this Court, we deem it appropriate to appoint Mr. Vatsal Joshi, Advocate in addition to the two earlier appointed Advocates-on-Record, namely, Mr. Anas Tanwar and Mr. Mrigank Prabhakar, to act as Nodal counsel. They shall prepare a chart indicating the name of the petitioners, respondents and the prayers made in each of the petitions. The said chart will be filed in the Court on or before 19.01.2024.

Learned counsel for the parties are also given liberty to file suggestions, an e-copy of each of which will be made available to the Nodal Counsel. E-copy thereof can be collected from the Nodal Counsel.

It is pointed out that the Home Secretary had called a meeting of the Chief Secretaries of the respective States/Union Territories on 11.10.2023. Minutes/details of the said meeting will be placed on record with an affidavit, before the next date of hearing.

List in the week commencing 05.02.2024.

(DEEPAK GUGLANI)
AR-cum-PS

(R.S. NARAYANAN)
ASSISTANT REGISTRAR

ITEM NO.5

COURT NO.3

SECTION PIL-W

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

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Petitioner(s)

VERSUS

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(FOR ADMISSION and I.R. and IA No.61254/2021-EXEMPTION FROM FILING
 C/C OF THE IMPUGNED JUDGMENT and IA No.61346/2021-EXEMPTION FROM
 FILING AFFIDAVIT and IA No.61255/2021-EXEMPTION FROM FILING
 AFFIDAVIT and IA No.61345/2021-INTERVENTION/IMPLEADMENT and IA
 No.61253/2021-PERMISSION TO APPEAR AND ARGUE IN PERSON)

W.P.(CrI.) No. 391/2021 (X)

(FOR ADMISSION and IA No.118374/2021-EX-PARTE AD-INTERIM RELIEF and
 IA No.118376/2021-EXEMPTION FROM FILING O.T. and IA No.118377/2021-
 EXEMPTION FROM FILING AFFIDAVIT)

W.P.(C) No. 1265/2021 (X)

(FOR ADMISSION and IA No.150287/2021-EXEMPTION FROM FILING O.T.)

W.P.(C) No. 24/2022 (PIL-W)

(IA No. 30382/2023 - INTERVENTION APPLICATION)

W.P.(C) No. 80/2022 (PIL-W)

(FOR ADMISSION and IA No.17397/2022-EXEMPTION FROM FILING O.T.)

W.P.(C) No. 940/2022 (PIL-W)

(IA No. 84999/2023 - APPLICATION FOR PERMISSION, IA No. 60674/2023
 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 86057/2023 - APPROPRIATE
 ORDERS/DIRECTIONS, IA No. 155570/2023 - APPROPRIATE ORDERS/
 DIRECTIONS, IA No. 35185/2023 - APPROPRIATE ORDERS/DIRECTIONS, IA
 No. 23156/2023 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 149401/2023
 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 6915/2023 - APPROPRIATE
 ORDERS/DIRECTIONS, IA No. 176938/2022 - APPROPRIATE ORDERS/
 DIRECTIONS, IA No. 73252/2023 - APPROPRIATE ORDERS/DIRECTIONS, IA
 No. 99986/2023 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 72312/2023 -
 APPROPRIATE ORDERS/DIRECTIONS, IA No. 72231/2023 - APPROPRIATE
 ORDERS/DIRECTIONS, IA No. 72195/2023 - APPROPRIATE ORDERS/
 DIRECTIONS, IA No. 90302/2023 - APPROPRIATE ORDERS/DIRECTIONS, IA
 No. 153093/2023 - CLARIFICATION/DIRECTION, IA No. 91152/2023 -
 CLARIFICATION/DIRECTION, IA No. 84989/2023 - EXEMPTION FROM FILING
 O.T., IA No. 77799/2023 - EXEMPTION FROM FILING O.T., IA No.
 101702/2023 - EXEMPTION FROM FILING O.T. and IA No. 90303/2023 -
 INTERVENTION/IMPLEADMENT)

SLP(CrI) No. 5107/2023 (II-C)**CONMT.PET.(C) No. 1111/2023 in W.P.(C) No. 940/2022 (PIL-W)****CONMT.PET.(C) No. 776/2023 in W.P.(C) No. 940/2022 (PIL-W)**

(FOR APPROPRIATE ORDERS/DIRECTIONS ON IA 63957/2023)

Diary No(s). 11853/2023 (PIL-W)

W.P.(C) No. 515/2023 (PIL-W)

(FOR ADMISSION and IA No.88202/2023-EXEMPTION FROM FILING O.T.)

CONMT.PET.(C) No. 1153/2023 in W.P.(C) No. 943/2021 (PIL-W)

(FOR ADMISSION)

CONMT.PET.(C) No. 1235/2023 in W.P.(C) No. 940/2022 (PIL-W)

(FOR ADMISSION)

Date : 29-11-2023 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJIV KHANNA

HON'BLE MR. JUSTICE S.V.N. BHATTI

For Petitioner(s)

Mr. Gopal Sankaranarayanan, Sr. Adv. (N/P)

Mr. Ashwani Kumar Dubey, AOR

Mr. Chandra Shekhar, Adv.

Ms. Tanya Srivastava, Adv.

Mr. Vishal Sinha, Adv.

Mr. Rishabh Shukla, Adv.

Ms. Farhat Jahan Rehmani, Adv.

Mr. Faizan Khan, Adv.

Mr. Danish Saifi, Adv.

Mr. Nasim Anwar, Adv.

Mr. Rashid N Azam, Adv.

Mr. Mohd Jawaaid H. Khan, Adv.

Mr. Padhmanabha Raja K R, Adv.

Mr. Satish Solanki, Adv.

Mr. Ritesh Kumar, Adv.

Mr. Shafik Ahmed, Adv.

Mr. Anju Sharma, Adv.

Mr. V. Elanchezhian, AOR

Mr. Vishnu Kant, AOR

Mr. Pavan Narang, Adv.

Mr. Himanshu Sethi, Adv.

Ms. Aishwarya Chhabra, Adv.

Petitioner-in-person

Mr. C. George Thomas, Adv.

Mr. Mrigank Prabhakar, AOR

Mr. Adeel Ahmed, AOR

Mr. Raja Chatterjee, Adv.

Mr. Abdur Razzaque Bhuyan, Adv.

Mr. Piyush Sachdev, Adv.

Ms. Anupama Gupta, Adv.

Ms. Riya Dutta, Adv.

Ms. Tiya Dutta, Adv.
Ms. Sana Parveen, Adv.
Ms. Lilly Biswas, Adv.

Ms. Sumita Hazarika, AOR

Mr. Shyam Divan, Sr. Adv. (N/P)
Mr. Senthil Jagadeesan, AOR
Mr. Vinayak Bhandari, Adv.
Mr. Sajal Jain, Adv.
Ms. Sonakshi Malhan, Adv.

Mr. Nizam Pasha, Adv.
Ms. Rashmi Singh, Adv.
Ms. Dharitry Phookan, AOR

Mr. Hari Shankar Jain, Adv.
Mr. Vishnu Shankar Jain, AOR
Mr. Parth Yadav, Adv.
Ms. Mani Munjal, Adv.
Ms. Marbiang Khongwir, Adv.

Ms. Preeti Singh, AOR
Mr. Sunklan Porwal, Adv.

Mr. Pulkit Agarwal, AOR

Mr. Siddharth Aggarwal, Sr. Adv.
Ms. Tara Narula, Adv.
Ms. Sowjanya Shankaran, Adv.
Ms. Sylona Mohapatra, AOR
Mr. Harsh Yadav, Adv.
Ms. Maitreya Subramaniam, Adv.
Mr. Chaitanya Sundriyal, Adv.
Ms. Mantika Vohra, Adv.

Mr. M.R. Shamshad, AOR
Mr. Arijit Sarkar, Adv.
Ms. Nabeela Jamil, Adv.

Mr. Huzefa Ahmadi, Sr. Adv. (N/P)
Mr. Talha Abdul Rahman, AOR
Ms. Shahrukh Alam, Adv.
Ms. Warisha Farasat, Adv.
Ms. Hrishika Jain, Adv.
Mr. Aman Naqvi, Adv.
Ms. Natasha Maheshwari, Adv.
Ms. Mreganka Kukreja, Adv.
Mr. Harshit Anand, Adv.
Mr. Adnan Yousuf, Adv.
Mr. M. Shaz Khan, Adv.

For Respondent(s)

Mr. Tushar Mehta, SG (N/P)
Mr. K.M. Nataraj, A.S.G.
Mr. Gurmeet Singh Makker, AOR
Mr. Kanu Agrawal, Adv.
Mr. Rajat Nair, Adv.
Mr. Mayank Pandey, Adv.
Mr. Sanjay Kumar Tyagi, Adv.
Mr. Varun Chugh, Adv.
Mr. Siddharth Dharamadhikari, Adv.
Ms. Saumya Tandon, Adv.

Mr. Tushar Mehta, SG (N/P)
Mr. K.M. Nataraj, A.S.G.
Mr. Kanu Agarwal, Adv.
Mr. Rajat Nair, Adv.
Mr. S.K. Tyagi, Adv.
Mr. Mayank Pandey, Adv.
Mr. Varun Chugh, Adv.
Mr. Amit Sharma-II, Adv.
Mr. Rajan Kumar Chourasiya, Adv.
Mr. Udai Khanna, Adv.
Mr. Arvind Kumar Sharma, AOR

Mr. K.M. Nataraj, A.S.G.
Ms. Garima Prashad, Sr. A.A.G.
Ms. Ruchira Goel, AOR
Mr. Satwik Misra, Adv.
Ms. Indira Bhakar, Adv.
Mr. Adit Jayeshbhai Shah, Adv.
Mr. Sharanya Sinha, Adv.

M/s. Venkat Palwai Law Associates, AOR

Mr. Tushar Mehta, SG (N/P)
Mr. S.V. Raju, ASG (N/P)
Mr. Siddharth Dharmadhikari, Adv.
Mr. Aaditya Aniruddha Pande, AOR
Mr. Bharat Bagla, Adv.
Mr. Sourav Singh, Adv.
Mr. Aditya Krishna, Adv.
Ms. Raavi Sharma, Adv.

Mr. Shreekant Neelappa Terdal, AOR

Mr. Tushar Mehta, SG (N/P)
Mr. K.M. Nataraj, A.S.G.
Mr. Kanu Agrawal, Adv.
Mr. Rajat Nair, Adv.
Mr. Amit Sharma B., Adv.
Mr. A.K. Kaul, Adv.
Mrs. Saumya Tandon, Adv.
Mr. Siddharth Dharamadhikari, Adv.
Mr. Amrish Kumar, AOR

Mr. Tushar Mehta, SG (N/P)
Mr. K.M. Natraj, A.S.G.
Mr. Kanu Agarwal, Adv.
Mr. Rajat Nair, Adv.
Mr. Mayank Pandey, Adv.
Mr. Sanjay Kr. Tyagi, Adv.
Mr. Varun Chugh, Adv.
Mr. Saumya Tandon, Adv.
Mr. Siddharth Daramadhikari, Adv.
Mr. Rajan Kumar Chaurasia, Adv.
Mr. Vishnu Jain, Adv.
Mr. P.V. Yogeshwaran, Adv.
Mr. Annam Venkatesh, Adv.
Mr. Mukesh Kumar Maroria, AOR

Mr. Anshuman Ashok, AOR

Mr. Abhishek Atrey, AOR
Mr. Jatinder Kumar Sethi, D.A.G.
Mr. Ashutosh Kumar Sharma, Adv.
Dr. Abhishek Atrey, Adv.

Mr. Sri Harsha Peechara, Adv.
Mr. Duvvuri Subrahmanya Bhanu, Adv.
Ms. Pallavi, Adv.
Ms. Kriti Sinha, Adv.
Mr. Akshat Kulshreshtha, Adv.
Mr. Rajiv Kumar Choudhry, AOR

Mr. V.N. Raghupathy, AOR
Mr. Manendra Pal Gupta, Adv.
Mr. M. Bangaraswamy, Adv.

Mr. Amit Sharma, AOR
Mr. Dipesh Sinha, Adv.
Ms. Pallavi Barua, Adv.
Ms. Aparna Singh, Adv.

Ms. Nisha Bhambhani, Adv.
Mr. Rajat Arora, AOR
Ms. Mariya Shahab, Adv.
Mr. Nibin Louis, Adv.

Mr. Anand Shankar, AOR

Mr. Vishnu Shankar Jain, AOR
Mr. Parth Yadav, Adv.
Ms. Mani Munjal, Adv.
Ms. Marbiang Khongwir, Adv.

Mr. Lokesh Sinhal, Sr. A.A.G.
Dr. Monika Gusain, AOR

Mr. Sumeer Sodhi, AOR
Mr. Dhruv Wadhwa, Adv.

Mrs. Nilofar Khan, A.A.G.
Mr. Milind Kumar, AOR
Mr. Anjum Parvez, Adv.

Mr. Devidas Pangam, Adv.
Mr. Abhay Anil Anturkar, Adv.
Mr. Dhruv Tank, Adv.
Mr. Aniruddha Awalgaonkar, Adv.
Ms. Surbhi Kapoor, AOR

Ms. Swati Ghildiyal, AOR
Ms. Devyani Bhatt, Adv.

Mr. Nishant Kumar , AOR

Mr. Parth Awasthi, Adv.
Mr. Pashupathi Nath Razdan, AOR
Ms. Maitreyee Jagat Joshi, Adv.
Mr. Astik Gupta, Adv.
Ms. Akanksha Tomar, Adv.

Mr. Pukhrambam Ramesh Kumar, AOR
Mr. Karun Sharma, Adv.
Ms. Rajkumaridiviyasana, Adv.

Mr. Siddhesh Shirish Kotwal, AOR
Ms. Ana Upadhyay, Adv.
Ms. Manya Hasija, Adv.
Mr. Tejasvi Gupta, Adv.
Mr. Pawan Upadhyay, Adv.
Mr. T. Illayarasu, Adv.

Mr. Gaurav Khanna, AOR

Ms. Muskan Surana, Adv.
Ms. Astha Sharma, AOR

Mr. Chitranshul A. Sinha, AOR

Mr. Sanjay Hegde, Sr. Adv.
Mr. Shahrukh Ali, Adv.
Mr. Tanay Hegde, Adv.
Mr. Anas Tanwir, Adv.
Mr. Ankit Tiwari, Adv.
Ms. Stuti Srivastava, Adv.
Mr. Mrigank Prabhakar, AOR

Ms. K. Enatoli Sema, AOR
Ms. Limayinla Jamir, Adv.

Mr. Amit Kumar Singh, Adv.
Ms. Chubalemla Chang, Adv.
Mr. Prang Newmai, Adv.

Mr. Ashutosh Dubey, AOR

Mr. Suvidutt M.S., AOR
Ms. Deepika Singh, Adv.
Ms. Disha Puri, Adv.
Mr. Rishesh Sikarwar, Adv.
Mrs. Renu Yadav, Adv.
Mr. Moirangmayum Chittaranjan Singh, Adv.
Mr. Aman Khullar, Adv.

Mr. Upendra Pratap Singh, AOR

Mr. Vishnu Shankar Jain, AOR
Mr. Parth Yadav, Adv.
Ms. Mani Munjal, Adv.
Ms. Marbiang Khongwir, Adv.

Mr. Awanish Sinha, AOR
Mr. Darshan Chandrakant Siddarkar, Adv.
Dr. Mahesh Y.reddy, Adv.
Mr. Vijay Singh, Adv.
Mr. Baiju Varkey Varughese, Adv.
Mr. Arvind Kumar, Adv.
Mr. Mayur Raj, Adv.

Mr. Devendra Singh, AOR

Mr. Abhimanyu Tewari, AOR
Ms. Eliza Barr, Adv.

Mr. Mishra Saurabh, AOR

Mr. P.V. Surendrnath, Sr. Adv.
Mr. Subhash Chandran K.R., Adv.
Mr. Biju P. Raman, AOR
Ms. Krishna L R, Adv.
Mr. John Thomas Arakal, Adv.

Mr. Barun Kumar Sinha, Adv.
Mrs. Pratibha Sinha, Adv.
Mr. Sneha Vardhan, Adv.
Mr. Rakesh Muddgal, Adv.
Mr. Pankaj Kumar Shukla, Adv.
Mr. Ritu Raj, Adv.
Mr. Niraj Kumar, Adv.
Mr. Abhishek, AOR

Mr. Vishal Prasad, AOR

Mr. Vishnu Shankar Jain, AOR
Mr. Parth Yadav, Adv.
Ms. Mani Munjal, Adv.
Ms. Marbiang Khongwir, Adv.

Mr. Gautam Bhatia, Adv.
Mr. Anas Tanwir, AOR
Mr. Ebad Ur Rahman, Adv.

Mr. Kaleeswaram Raj, Adv.
Ms. Thulasi K Raj, Adv.
Ms. Aparna Menon, Adv.
Mr. Mohammed Sadique T.A., AOR

Ms. Liz Mathew, AOR
Mr. Talha Abdul Rahman, AOR

Ms. Muskan Surana, Adv.
Ms. Astha Sharma, AOR

Mr. Ashwani Bhardwaj, AOR

Mr. Shadan Farasat, AOR
Ms. Warisha Farasat, Adv.
Mr. Harshit Anand, Adv.
Mr. Aman Naqvi, Adv.
Ms. Hrishika Jain, Adv.
Ms. Natasha Maheshwari, Adv.
Ms. Mreganka Kukreja, Adv.

Mr. Ilin Saraswat, Adv.
Ms. Swati Jain, Adv.
Mr. Loveesh Kashyap, Adv.
Ms. Ilma Saifi, Adv.
Mr. Saurabh Yadav, Adv.
Mr. Abhishek Yadav, AOR

Mr. Jatinder Kumar Sethi, D.A.G.
Mr. Abhishek Atrey, AOR
Mr. Ashutosh Kumar Sharma, Adv.
Dr. Abhishek Atrey, Adv.

Mr. Surender Kumar Gupta, AOR
Ms. Manju Jetley, AOR

Mr. Sanjay Parikh, Sr. Adv.
Ms. Srishti Agnihotri, AOR
Ms. Tara Elizabeth Kurien, Adv.

Mr. Harsh Kaushik, AOR

Mr. Anand Shankar, AOR

Mr. Sunil Fernandes, AOR

Mr. Dhawal Uniyal, AOR
Mr. Naresh Kumar, Adv.

Ms. Pinky Anand, Sr. Adv. (N/P)
Mr. Sumit Teterwal, AOR
Mr. Balendu Shekhar, Adv.
Ms. Saudamini Sharma, Adv.
Ms. Asees Kaur, Adv.
Ms. Tanisha Samanta, Adv.

Mr. Kaleeswaram Raj, Adv.
Mr. Nishe Rajen Shonker, AOR
Mrs. Anu K. Joy, Adv.
Ms. Thulasi K Raj, Adv.
Mr. Alim Anvar, Adv.
Ms. Aparna Menon, Adv.
Mr. Abraham Mathew, Adv.

Mr. Sameer Abhyankar, AOR
Ms. Vani Vandana Chhetri, Adv.
Ms. Nishi Sangtani, Adv.
Mr. Naman Jain, Adv.
Ms. Zinnea Mehta, Adv.

Mr. Sunil Dalal, Sr. Adv.
Mr. Shoumendu Mukherji, AOR
Mr. Soumava Karmakar, Adv.
Ms. Manisha Saroha, Adv.
Mr. Nikhil Beniwal, Adv.
Ms. Megha Sharma, Adv.
Ms. Akanksha Gupta, Adv.
Mr. Satya Ranjan Swain, Adv.
Mr. Sahaj Garg, Adv.
Mr. Deepanshu Badiwal, Adv.
Mr. Chetanya Puri, Adv.

Mr. Nishant Kumar , AOR

Mr. Pratik R. Bombarde, AOR
Mr. Reepak Kansal, Adv.
Mr. Dharama Datta Verma, Adv.

Ms. Rebecca John, Sr. Adv.
Mr. Ajay Pal, AOR
Mr. Mayank Dahiya, Adv.
Ms. Sugandh Rathor, Adv.

Mr. Kirti Uppal, Sr. Adv.
Mr. Piyush Beriwal, AOR
Mr. Aman Jha, Adv.
Mr. Amit Tiwari, Adv.

Mr. Rishi Tutu, Adv.
Ms. Priyanka Garg, Adv.
Ms. Priya Mishra, Adv.
Mr. Rudra Paliwal, Adv.
Mr. Shrey Sehrawat, Adv.
Mr. Kushagra Kumar Kansal, Adv.
Mr. Chandan Sinha, Adv.

Mr. Shovan Mishra, AOR
Ms. Bipasa Tripathy, Adv.

Ms. Ranjeeta Rohatgi, AOR

Ms. Swati Ghildiyal, AOR
Ms. Devyani Bhatt, Adv.

Mr. Mehmood Umar Faruqui, AOR
Mr. Ravi Sharma, AOR

Ms. Radhika Chaturvedi, Adv.
Mr. Hitesh Kumar Sharma, Adv.
Mr. Akhileshwar Jha, Adv.
Mr. Amit Kumar Chawla, Adv.
Ms. Ritika Raj, Adv.
Mr. Neeraj Singh, Adv.
Mr. Ravish Kumar Goyal, Adv.
Mr. Anil Kumar, Adv./AOR

Mr. Avijit Mani Tripathi, AOR
Ms. Marbiang Khongwir, Adv.
Mr. T.K. Nayak, Adv.

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

The Union of India has filed a status report on 20.11.2023, giving the list of 28 States and Union Territories, which had appointed Nodal Officers in compliance of the order dated 17.07.2018 passed by this Court in *Tehseen S. Poonawalla vs. Union of India & Ors.*².

During the course of hearing, learned counsel appearing for the State of West Bengal has stated that the Nodal Officer has been appointed.

Court notice will be issued to the standing/nominated counsel for the States of Gujarat, Kerala, Nagaland and Tamil Nadu to state whether they have appointed Nodal Officers in compliance of the aforesaid order. Affidavit in this regard will be filed by the respective States within four weeks from today. Details and particulars of the Nodal Officers shall be stated.

As there are large number of writ petitions/special leave petitions/contempt petitions/applications pending before this Court, we deem it appropriate to appoint Mr. Vatsal Joshi, Advocate in addition to the two earlier appointed Advocates-on-Record, namely, Mr. Anas Tanwar and Mr. Mrigank Prabhakar, to act as Nodal counsel. They shall prepare a chart indicating the name of the petitioners, respondents and the prayers made in each of the petitions. The said chart will be filed in the Court on or before 19.01.2024.

Learned counsel for the parties are also given liberty to file suggestions, an e-copy of each of which will be made available to the Nodal Counsel. E-copy thereof can be collected from the Nodal Counsel.

It is pointed out that the Home Secretary had called a meeting of the Chief Secretaries of the respective States/Union Territories on 11.10.2023. Minutes/details of the said meeting will be placed on record with an affidavit, before the next date of hearing.

List in the week commencing 05.02.2024.

(DEEPAK GUGLANI)
AR-cum-PS

(R.S. NARAYANAN)
ASSISTANT REGISTRAR