

**IN THE SUPREME COURT OF INDIA
INHERENT JURISDICTION**

Contempt Petition (C) Nos 584-589 of 2020

In

Civil Appeal Nos 2182-2187 of 2020

**Commander R. Prasanna (Retd.)
and Others**

...Petitioner(s)

Versus

**Dr Ajay Kumar, Defence Secretary,
Ministry of Defence, Government
of India**

...Respondent(s)

W I T H

Miscellaneous Application (C) Nos 1832-1837 of 2020

In

Civil Appeal Nos 2182-2187 of 2020

O R D E R

Contempt Petition (C) Nos.584-589/2020 in C.A. Nos.2182-2187/2020

- 1 The grievance of the petitioners is in regard to the non-compliance with the directions contained in paragraphs (ix) to (xii) of the decision of this Court dated 17 March 2020. Compliance was directed to be effected in three months.
- 2 Mr K M Natraj, learned Additional Solicitor General appearing with Ms Neela Gokhale submits that administrative approval has been granted for the disbursement of the amounts payable under the judgment and the disbursement will be made within a period of four weeks.

- 3 Taking on record the assurance of the Additional Solicitor General, we do not consider it expedient in the interests of justice to pursue the contempt proceedings. The Union of India shall comply with the statement made before the Court. Liberty to revive the contempt petition in the event of a breach of the assurance takes place.
- 4 The Contempt Petitions are disposed of.

M.A. Nos.1832-1837/2020 in C.A. Nos.2182-2187/2020

- 1 There is merit in the grievance of the women officers of the Indian Army who have moved these proceedings, that despite the order of this Court requiring the Union of India to comply within a period of three months, with the judgment dated 17 March 2020, the exercise has not been completed.
- 2 An application for extension of time has been filed, though the period has already expired. Mr K M Nataraj, learned Additional Solicitor General has appeared with Ms Neela Gokhale in support of the application for extension. We find considerable merit in the submission of Mr Santosh Krishnan, Ms Haripriya Padmanabham and Ms Pooja Dhar, learned counsel that the Union of India must comprehensively comply with the judgment dated 17 March 2020, without requiring individual officers to move repeated applications for contempt. Besides adding to the burden of litigation, both for this Court and the Union of India, this causes hardship to individual officers placed all over the country who have to spend resources and time for moving proceedings before this Court in the contempt jurisdiction.
- 3 Appreciating this perspective, Mr Natraj has stated that if two months is granted to the Union of India to complete the entire exercise of complying with the judgment of this court, this shall be done by 31 December 2020. We accordingly extend time for compliance with the decision of this Court dated 17 March 2020 until 31 December 2020, but specifically direct that compliance shall be effected in a comprehensive manner in respect of all the

directions which have been issued in the judgment of this Court dated 17 March 2020.

- 4 The Miscellaneous Applications are accordingly disposed of.

.....J.
[Dr Dhananjaya Y Chandrachud]

.....J.
[Indu Malhotra]

.....J.
[Indira Banerjee]

New Delhi;
October 29, 2020
CKB

ITEM NO.11

Court 6 (Video Conferencing)

SECTION XIV-A

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

CONMT.PET.(C) Nos.584-589/2020 in C.A. Nos.2182-2187/2020

CDR R PRASANNA (RETD.) & ORS.

Petitioner(s)

VERSUS

AJAY KUMAR & ANR.

Respondent(s)

WITH M.A. Nos.1832-1837/2020 in C.A. Nos.2182-2187/2020 (XIV-A)
(With appln.(s) for IA No.62532/2020-EXTENSION OF TIME, IA No. 101281/2020 - EXEMPTION FROM FILING AFFIDAVIT and IA No. 62532/2020 - EXTENSION OF TIME)

Date : 29-10-2020 These petitions were called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD
HON'BLE MS. JUSTICE INDU MALHOTRA
HON'BLE MS. JUSTICE INDIRA BANERJEE

For Petitioner(s) Mr. K.M. Nataraj, ASG
Mr. Shailesh Madiyal, Adv.
Ms. Neela Kedar Gokhle, Adv.
Mr. Arvind Kumar Sharma, AOR

Ms. Pooja Dhar, AOR

For Respondent(s) Mr. Anant Vijay Palli, Adv.
Mr. Deepak Goel, AOR

Ms. Pooja Dhar, AOR

Mr. Harish Pandey, AOR

Mr. Mohit D. Ram, AOR

Ms. Liz Mathew, AOR

Mr. Santosh Krishnan, Adv.

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

- 1 The Contempt Petitions and Miscellaneous Applications are disposed of in terms of the signed order.
- 2 Pending applications, if any, stand disposed of.

**(CHETAN KUMAR)
A.R.-cum-P.S.**

**(SAROJ KUMARI GAUR)
Court Master**

(Signed order is placed on the file)