

ITEM NO.18

COURT NO.9

SECTION IV-A

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

Civil Appeal No(s).2549/2023

D.C. GOWRISHANKARASWAMY

Appellant(s)

VERSUS

B. SURESH GOWDA & ORS.

Respondent(s)

(FOR ADMISSION and IA No.72922/2023-STAY APPLICATION and IA No.72926/2023-EXEMPTION FROM FILING O.T. and IA No.72929/2023-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES
 IA No. 72926/2023 - EXEMPTION FROM FILING O.T.
 IA No. 72929/2023 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES
 IA No. 72922/2023 - STAY APPLICATION)

Date : 17-04-2023 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SURYA KANT
 HON'BLE MR. JUSTICE J.K. MAHESHWARI

For Appellant(s) Mr. K.K. Venugopal, Sr. Adv.
 Mr. Nishant Adv., Adv.
 Mr. Devamshu Behl, Adv.
 Mr. Balaji Srinivasan, AOR

For Respondent(s) Mr. Ranjit Kumar, Sr. Adv.
 Ms. Nalina Mayegowda, Sr. Adv.
 Mr. Manjunatha Hiral, Adv.
 Mr. Manish Singh, Adv.
 Mr. Priyadarshi Banerjee, Adv.
 Mr. Dilraj Singh Bhinder, Adv.
 Mr. Rishabh Singhle, Adv.
 Mr. Sujoy Chatterjee, AOR

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

1. Heard Mr. K.K. Venugopal, learned Senior Counsel appearing on behalf of the appellant as well as Mr. Ranjit Kumar, learned Senior Counsel, who appears on caveat on behalf of respondent No.1.
2. Admit.

3. As an interim measure, it is directed that:
- (i) The direction issued by the High Court in para 154(a) of the impugned judgment dated 30.03.2023 shall remain stayed.
 - (ii) The appellant shall be entitled to contest the ensuing Assembly Election subject to further directions that may be passed by this Court at an appropriate stage.
 - (iii) The appellant shall be entitled to all privileges, allowances and benefits as a Member of the current State Legislative Assembly. However, he shall not be entitled to cast his vote on the floor of the House or in any of the Committees where he is nominated as a Member.
 - (iv) The parties shall be at liberty to seek appropriate directions immediate after the results of the ensuing State Legislative Assembly are declared.
4. This interim arrangement is only for the current 15th State Legislative Assembly and for the 16th State Legislative Assembly, liberty is granted to the parties to seek appropriate directions.
5. Post the appeal for hearing on 14.07.2023.

(SATISH KUMAR YADAV)
DEPUTY REGISTRAR

(PREETHI T.C.)
COURT MASTER (NSH)