

SECTION PIL (WRIT)

MATTER FOR : 04.09.2015

COURT NO. : 01

ITEM NO. : 67

IN THE SUPREME COURT OF INDIA
CRIMINAL ORIGINAL JURISDICTION

WRIT PETITION (CRIMINAL) NO. 114 OF 2015

(Under Article 32 of the Constitution of India)

WITH

CRIMINAL MISCELLANEOUS PETITION NOS. 10969 & 10970/2015

(Applications for permission to file additional documents &
exemption from filing O.T.)

WITH

CRIMINAL MISCELLANEOUS PETITION NO. 11458/2015

(Applications for permission to file additional documents)

WITH

CRIMINAL MISCELLANEOUS PETITION NOS. 13537 & 13539/2015

(Applications for permission to file additional documents &
exemption from filing O.T.)

WITH

CRIMINAL MISCELLANEOUS PETITION NO. 15139/2015

(Application for Impleadment as party respondent)

AND

WRIT PETITION (CRIMINAL) NO. 115 OF 2015

(Under Article 32 of the Constitution of India)

WITH

CRIMINAL MISCELLANEOUS PETITION NOS. 10971 & 10972/2015

(Applications for permission to file additional documents &
exemption from filing O.T.)

WITH

CRIMINAL MISCELLANEOUS PETITION NO. 11459/2015

(Applications for permission to file additional documents)

WITH

CRIMINAL MISCELLANEOUS PETITION NO. 15141/2015

(Application for Impleadment as party respondent)

Anand Rai, etc.

... Petitioners

Versus

Union of India & Ors., etc.

... Respondents

OFFICE REPORT

The Writ Petitions alongwith Criminal Miscellaneous Petitions above-mentioned except Criminal Miscellaneous Petition Nos. 15139 and 15141 were listed before the Hon'ble Court on 16.07.2015 and 14.08.2015, when the Court was pleased to pass the following orders:-

Order dated 16.07.2015

“Notice, returnable in three weeks' time.”

Order dated 14.08.2015

“Call the matters after two weeks positively, at the request of learned Attorney General for India.”

It is submitted that pursuant to Order dated 16.07.2015, Show Cause Notice returnable for 14.08.2015 was issued to all the seven common respondents through Registered A.D. on 31.07.2015 in both the Writ Petitions above-mentioned.

It is further submitted that Mr. Mishra Saurabh, Advocate has on 30.07.2015 filed Vakalatnama/appearance on behalf of Respondent Nos. 3, 4 & 6 in both the Writ Petitions above-mentioned, and on 02.09.2015 filed Counter Affidavit in Writ Petition (Crl.) No. 114 of 2015 on behalf of State of Madhya Pradesh with permission of the Hon'ble Court. The document is being circulated for the kind perusal of the Hon'ble Court.

It is further submitted that Mr. Gaurav Sharma, Advocate had on 12.08.2015 filed common Reply Affidavit alongwith Vakalatnama/appearance on behalf of Respondent No. 2 (Central Bureau of Investigation) in both the Writ Petitions above-mentioned with permission of the Hon'ble Court. The said Affidavit stands included in the Paper Books.

It is further submitted that Mr. Aditya Singh, Advocate has on 02.09.2015 filed Vakalatnama/appearance in both the Writ Petitions above-mentioned and on 03.09.2015 filed Counter Affidavit on behalf of Respondent No. 5 (Admission & Fee Regulatory Committee) in both the Writ Petitions above-mentioned, but 'Colly' has been mentioned in Annexure CA-3 of the Counter Affidavit filed in W.P. (Crl) No. 114 of 2015. However, the documents are being circulated for the kind perusal of the Hon'ble Court.

It is further submitted that neither A.D. card nor unserved cover containing the Show Cause Notice has been received back in respect of Respondent Nos. 1 & 7 in both the Writ Petitions above-mentioned.

Hence, service of Show Cause Notice is incomplete in respect of Respondent Nos. 1 & 7 in both the Writ Petitions above-mentioned.

It is further submitted that Ms. Arti Singh, Advocate for the Petitioner had on 12.08.2015 filed Application for permission to file additional documents alongwith Application for exemption from filing Official Translation in Writ

Petition (Crl.) No. 114 of 2015. The same have been registered as Criminal Miscellaneous Petition Nos. 13537 and 13539 respectively and stand included in the Paper Books.

It is further submitted that Mr. P.K. Jain, Advocate has on 25.08.2015 filed application for Impleadment/Intervenor on behalf of Ranveer Singh Garhwal in Writ Petition (Crl.) No. 114 of 2015 but the same is defective for the reasons that 1) Applicant's name has not been mentioned in the file cover and beginning of the Cause Title, 2) Application should be either impleadment or intervention, 3) Annexures have not been signed as true copy, 4) 'Special Leave Petition' has been mentioned in para 2 of the Affidavit instead of 'Writ Petition', 5) Separate application for direction may be filed, 6) Copy has not been served upon the other side and 7) There is some blank space in para 2 of the Affidavit. The advocate has not cured the said defects. However, the said unregistered application is circulated for the kind perusal of the Hon'ble Court.

It is lastly submitted that Mr. Amalpushp Shrotri and Ms. Pragati Neekhara, Advocates have on 03.09.2015 filed Application for impleadment to implead Association of Private Dental & Medical Colleges of Madhya Pradesh (APDMC) as Respondent No. 8 in Writ Petition (Crl.) Nos. 114 and 115 of 2015 respectively. Both the applications have been registered as Criminal Miscellaneous Petition Nos. 15139 and 15141 of 2015 and are being circulated for the kind perusal of the Hon'ble Court.

The Writ Petitions alongwith Criminal Miscellaneous Petitions above-mentioned are listed before the Hon'ble Court with this Office Report for Orders.

Dated this the 3rd day of September, 2015.

Sd/-
Assistant Registrar