

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(s)(Civil) No(s).864/2022

MUTHYALA SUNIL KUMAR

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(IA No.148678/2022 - APPROPRIATE ORDERS/DIRECTIONS, IA No.92617/2023 - CLARIFICATION/DIRECTION, IA No.148676/2022 - EX-PARTE STAY, IA No.162957/2022 - EXEMPTION FROM FILING O.T., IA No.162956/2022 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

WITH

W.P.(C) No. 638/2023 (X)  
(FOR ADMISSION)

W.P.(C) No. 799/2023 (X)  
(FOR ADMISSION and IA No.153233/2023-STAY APPLICATION)

W.P.(C) No. 825/2023 (X)  
(FOR ADMISSION and IA No.158189/2023-EX-PARTE AD-INTERIM RELIEF)

W.P.(C) No. 836/2023 (X)  
(FOR ADMISSION and IA No.159469/2023-EX-PARTE AD-INTERIM RELIEF)

W.P.(C) No. 853/2023 (X)  
(FOR ADMISSION and IA No.161646/2023-GRANT OF INTERIM RELIEF)

W.P.(C) No. 783/2023 (X)  
(FOR ADMISSION and IA No.149105/2023-APPROPRIATE ORDERS/DIRECTIONS)

W.P.(C) No. 756/2023 (X)  
(IA No. 201798/2023 - AMENDMENT OF THE PETITION, IA No.141337/2023 - EX-PARTE AD-INTERIM RELIEF)

W.P.(C) No. 804/2023 (X)  
(FOR ADMISSION and IA No.154157/2023-GRANT OF INTERIM RELIEF)

W.P.(C) No. 828/2023 (X)  
(FOR ADMISSION and IA No.158996/2023-EX-PARTE AD-INTERIM RELIEF)

W.P.(C) No. 831/2023 (X)  
(FOR ADMISSION and IA No.159264/2023-EX-PARTE AD-INTERIM RELIEF)

W.P.(C) No. 824/2023 (X)  
(FOR ADMISSION and IA No.158186/2023-EX-PARTE AD-INTERIM RELIEF)

W.P.(C) No. 822/2023 (X)  
(FOR ADMISSION and IA No.158136/2023-EX-PARTE AD-INTERIM RELIEF)

W.P.(C) No. 808/2023 (X)  
(FOR ADMISSION and I.R. and IA No.155439/2023-GRANT OF INTERIM RELIEF)

W.P.(C) No. 852/2023 (X)  
(FOR ADMISSION and IA No.161424/2023-GRANT OF INTERIM RELIEF)

W.P.(C) No. 815/2023 (X)  
(FOR ADMISSION and IA No.156959/2023-EX-PARTE AD-INTERIM RELIEF)  
W.P.(C) No. 812/2023 (X)  
(FOR ADMISSION and IA No.155902/2023-EX-PARTE AD-INTERIM RELIEF)  
W.P.(C) No. 816/2023 (X)  
(FOR ADMISSION and IA No.156970/2023-EX-PARTE AD-INTERIM RELIEF)  
W.P.(C) No. 851/2023 (X)  
(FOR ADMISSION and IA No.161184/2023-GRANT OF INTERIM RELIEF)  
W.P.(C) No. 819/2023 (X)  
(FOR ADMISSION and IA No.157775/2023-GRANT OF INTERIM RELIEF)  
W.P.(C) No. 833/2023 (X)  
(FOR ADMISSION and IA No.159365/2023-GRANT OF INTERIM RELIEF)  
W.P.(C) No. 835/2023 (X)  
(FOR ADMISSION and IA No.159428/2023-EX-PARTE AD-INTERIM RELIEF)  
W.P.(C) No. 834/2023 (X)  
(FOR ADMISSION and IA No.159370/2023-GRANT OF INTERIM RELIEF)  
W.P.(C) No. 820/2023 (X)  
(FOR ADMISSION and IA No.157996/2023-GRANT OF INTERIM RELIEF)  
W.P.(C) No. 859/2023 (X)  
(FOR ADMISSION and IA No.162267/2023-GRANT OF INTERIM RELIEF)  
W.P.(C) No. 857/2023 (X)  
(FOR ADMISSION and IA No.162046/2023-EX-PARTE AD-INTERIM RELIEF)  
W.P.(C) No. 865/2023 (X)  
(FOR ADMISSION and IA No.163519/2023-GRANT OF INTERIM RELIEF)  
W.P.(C) No. 832/2023 (X)  
(FOR ADMISSION and IA No.159270/2023-EX-PARTE AD-INTERIM RELIEF)  
W.P.(C) No. 855/2023 (X)  
(FOR ADMISSION and IA No.162021/2023-GRANT OF INTERIM RELIEF)  
W.P.(C) No. 898/2023 (X)  
(FOR ADMISSION and IA No.170815/2023-EXEMPTION FROM FILING O.T.)  
W.P.(C) No. 879/2023 (X)  
(FOR ADMISSION and IA No.165562/2023-STAY APPLICATION)  
W.P.(C) No. 872/2023 (X)  
(FOR ADMISSION)  
W.P.(C) No. 894/2023 (X)  
(FOR ADMISSION and IA No.169905/2023-EX-PARTE AD-INTERIM RELIEF)  
W.P.(C) No. 892/2023 (X)  
(FOR ADMISSION and IA No.168740/2023-GRANT OF INTERIM RELIEF)  
W.P.(C) No. 891/2023 (X)  
(FOR ADMISSION and IA No.168616/2023-GRANT OF INTERIM RELIEF)  
W.P.(C) No. 955/2023 (X)  
(FOR ADMISSION and IA No.181814/2023-GRANT OF INTERIM RELIEF)  
W.P.(C) No. 953/2023 (X)  
(FOR ADMISSION and IA No.181533/2023-GRANT OF INTERIM RELIEF)  
W.P.(C) No. 949/2023 (X)  
(FOR ADMISSION and IA No.180837/2023-GRANT OF INTERIM RELIEF)  
W.P.(C) No. 950/2023 (X)  
(FOR ADMISSION and IA No.180911/2023-GRANT OF INTERIM RELIEF)  
W.P.(C) No. 956/2023 (X)  
(FOR ADMISSION and IA No.181912/2023-STAY APPLICATION)  
W.P.(C) No. 957/2023 (X)  
(FOR ADMISSION and IA No.181914/2023-GRANT OF INTERIM RELIEF)

W.P.(C) No. 923/2023 (X)  
 (FOR ADMISSION and IA No.177495/2023-GRANT OF INTERIM RELIEF)  
 W.P.(C) No. 935/2023 (X)  
 (FOR ADMISSION and IA No.179266/2023-STAY APPLICATION)  
 W.P.(C) No. 947/2023 (X)  
 (FOR ADMISSION and IA No.180713/2023-GRANT OF INTERIM RELIEF)  
 W.P.(C) No. 969/2023 (X)  
 (FOR ADMISSION and IA No.183193/2023-STAY APPLICATION)  
 W.P.(C) No. 964/2023 (X)  
 (FOR ADMISSION and IA No.182861/2023-STAY APPLICATION and IA  
 No.182866/2023-APPROPRIATE ORDERS/DIRECTIONS)  
 W.P.(C) No. 970/2023 (X)  
 (FOR ADMISSION and IA No.183780/2023-GRANT OF INTERIM RELIEF)  
 W.P.(C) No. 988/2023 (X)  
 (FOR ADMISSION and IA No.187601/2023-GRANT OF INTERIM RELIEF)  
 W.P.(C) No. 981/2023 (X)  
 (FOR ADMISSION and IA No.186368/2023-GRANT OF INTERIM RELIEF)  
 W.P.(C) No. 975/2023 (X)  
 (FOR ADMISSION and IA No.185527/2023-EX-PARTE AD-INTERIM RELIEF)  
 W.P.(C) No. 992/2023 (X)  
 (FOR ADMISSION and IA No.188539/2023-GRANT OF INTERIM RELIEF)  
 W.P.(C) No. 996/2023 (X)  
 (FOR ADMISSION and IA No.188704/2023-GRANT OF INTERIM RELIEF  
 IA No. 188704/2023 - GRANT OF INTERIM RELIEF)  
 W.P.(C) No. 984/2023 (X)  
 (FOR ADMISSION and IA No.187044/2023-GRANT OF INTERIM RELIEF)  
 W.P.(C) No. 995/2023 (X)  
 (FOR ADMISSION and IA No.188703/2023-GRANT OF INTERIM RELIEF  
 IA No. 188703/2023 - GRANT OF INTERIM RELIEF)  
 W.P.(C) No. 998/2023 (X)  
 (FOR  
 FOR GRANT OF INTERIM RELIEF ON IA 189436/2023  
 IA No. 189436/2023 - GRANT OF INTERIM RELIEF)  
 W.P.(C) No. 993/2023 (X)  
 (FOR ADMISSION and IA No.188635/2023-GRANT OF INTERIM RELIEF  
 IA No. 188635/2023 - GRANT OF INTERIM RELIEF)  
 W.P.(C) No. 1007/2023 (X)  
 (FOR ADMISSION and IA No.190137/2023-GRANT OF INTERIM RELIEF)  
 W.P.(C) No. 1002/2023 (X)  
 (FOR ADMISSION and IA No.189559/2023-EX-PARTE STAY)  
 W.P.(C) No. 1010/2023 (X)  
 (FOR ADMISSION and IA No.190460/2023-STAY APPLICATION)  
 W.P.(C) No. 1015/2023 (X)  
 (FOR ADMISSION and IA No.191132/2023-GRANT OF INTERIM RELIEF)  
 W.P.(C) No. 1031/2023 (X)  
 (FOR ADMISSION and IA No.193203/2023-EX-PARTE STAY)  
 W.P.(C) No. 1000/2023 (X)  
 (FOR ADMISSION and IA No.189505/2023-GRANT OF INTERIM RELIEF)  
 W.P.(C) No. 1033/2023 (X)  
 (FOR ADMISSION and IA No.193583/2023-GRANT OF INTERIM RELIEF)  
 W.P.(C) No. 1043/2023 (X)  
 (FOR ADMISSION and IA No.195029/2023-GRANT OF INTERIM RELIEF)

W.P.(C) No. 1039/2023 (X)  
(FOR ADMISSION and IA No.194377/2023-GRANT OF INTERIM RELIEF)  
W.P.(C) No. 1058/2023 (X)  
(FOR ADMISSION and IA No.197422/2023-GRANT OF INTERIM RELIEF)  
W.P.(C) No. 1064/2023 (X)  
(FOR ADMISSION and IA No.198112/2023-STAY APPLICATION)  
W.P.(C) No. 1047/2023 (X)  
(FOR ADMISSION and IA No.195514/2023-STAY APPLICATION)  
W.P.(C) No. 1059/2023 (X)  
(FOR ADMISSION and IA No.197437/2023-STAY APPLICATION)  
W.P.(C) No. 1066/2023 (X)  
(FOR ADMISSION and IA No.198760/2023-EX-PARTE AD-INTERIM RELIEF)  
W.P.(C) No. 1034/2023 (X)  
(FOR ADMISSION and IA No.193760/2023-STAY APPLICATION and IA No.193763/2023-CLARIFICATION/DIRECTION)  
W.P.(C) No. 1092/2023 (X)  
(FOR ADMISSION and IA No.201007/2023-GRANT OF INTERIM RELIEF)  
W.P.(C) No. 1119/2023 (X)  
(FOR ADMISSION and IA No.205119/2023-GRANT OF INTERIM RELIEF)  
W.P.(C) No. 1103/2023 (X)  
(FOR ADMISSION and IA No.202739/2023-GRANT OF INTERIM RELIEF)  
W.P.(C) No. 1104/2023 (X)  
(FOR ADMISSION and IA No.202746/2023-GRANT OF INTERIM RELIEF)  
W.P.(C) No. 1105/2023 (X)  
(FOR ADMISSION and IA No.203057/2023-GRANT OF INTERIM RELIEF)

**Item No.15**

Writ Petition(s)(Civil) No(s).1112/2023  
(FOR ADMISSION and IA No.204056/2023-GRANT OF INTERIM RELIEF )  
W.P.(C) No.1115/2023 (X)  
(FOR ADMISSION and IA No.204715/2023-GRANT OF INTERIM RELIEF)  
W.P.(C) No.1125/2023 (X)  
(FOR ADMISSION and IA No.206369/2023-STAY APPLICATION)  
W.P.(C) No.1138/2023 (X)  
(FOR ADMISSION and IA No.208026/2023-GRANT OF INTERIM RELIEF)  
W.P.(C) No.1127/2023 (X)  
(FOR ADMISSION and IA No.206447/2023-STAY APPLICATION)

**Item No.44**

W.P(C) No.1139/2023  
(IA No.208034/2023-GRANT OF INTERIM RELIEF)  
W.P.(C) No. 1143/2023 (X)  
(FOR ADMISSION and IA No.208845/2023-GRANT OF INTERIM RELIEF)  
W.P.(C) No. 1144/2023 (PIL-W)  
(FOR ADMISSION and IA No.208872/2023-GRANT OF INTERIM RELIEF)  
W.P.(C) No. 1147/2023 (X)  
(FOR ADMISSION and IA No.210844/2023-EX-PARTE AD-INTERIM RELIEF)

**Item No.45**

**W.P.(C) No(s).1156/2023  
(FOR ADMISSION and IA No.213219/2023-GRANT OF INTERIM RELIEF)**

**Item No.46**

**W.P.(C) No(s).1152/2023  
(FOR ADMISSION and IA No.212055/2023-STAY APPLICATION)**

**Date : 13-10-2023 These matters were called on for hearing today.**

**CORAM :**

**HON'BLE MR. JUSTICE SURYA KANT  
HON'BLE MR. JUSTICE DIPANKAR DATTA**

**For Petitioner(s) Mr. Dileep Poolakkot, Adv.  
Mr. Muhammed Siddick, Adv.  
Mr. Bijo Mathew Joy, AOR**

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M/s. Lead Counsel, AOR**

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Mr. Varun Sriniwasn, Adv.  
Ms. Bina Madhavan, Adv.  
Mr. Eeshan D Khaire, Adv.  
Mr. Lakshay Saini, Adv.  
M/s. Lawyer S Knit & Co, AOR**

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Mr. Aakash Nandolia, AOR  
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Ms. Shreya Bansal, Adv.  
Mr. Aniket Singh, Adv.**

**Mr. Manoj V George, Adv.  
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Mr. Km Vignesh Ram, Adv.  
Mr. Nasib Masih, Adv.  
Ms. Akshita Agarwal, Adv.  
Ms. Darshna Nair, Adv.**

**Ms. Haripriya Padmanabhan, Adv.  
Ms. Haripriya Padmanaban, Adv.  
Mr. Raghunatha Sethupathy B, AOR  
Mr. S. Sabari Bala Pandian, Adv.**

Ms. Tanya Srivastava, Adv.  
Mr. Santhosh K, Adv.

Mr. N. Sai Vinod, AOR  
Mr. Abhinav, Adv.  
Mr. Sahil Ghai, Adv.

Mr. T. Harish Kumar, AOR  
Mr. Navneet Dugar, Adv.  
Mr. Subham Kothari, Adv.  
Ms. Preethi G, Adv.

Mr. M. Gireesh Kumar, Adv.  
Mr. Ankur S. Kulkarni, AOR  
Mr. Priya S. Bhalerao, Adv.

Ms. Bina Madhavan, Adv.  
Mr. S. Udaya Kumar Sagar, Adv.  
Mr. Eeshan D. Khaire, Adv.  
Mr. Lakshay Saini, Adv.  
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Mr. Manoj V George, Adv.  
Ms. Shilpa Liza George, AOR  
Mr. Km Vignesh Ram, Adv.  
Mr. Nasib Masih, Adv.  
Ms. Darshna Nair, Adv.  
Ms. Akshita Agarwal, Adv.

Mr. Arjun Garg, AOR

Mr. Dileep Poolakkat, Adv.  
Mr. Mohd. Siddick, Adv.  
Mr. Aljo K. Joseph, AOR

Mr. Dileep Poolakkot, Adv.  
Mr. Muhammed Siddick, Adv.  
Mr. Bijo Mathew Joy, AOR

Mr. Raghenth Basant, Adv.  
Mr. N. Sai Vinod, AOR

For Respondent(s) Mr. Balbir Singh, A.S.G.  
Mr. Gurmeet Singh Makker, AOR  
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Mr. Naman Tandon, Adv.  
Ms. Monica Benjamin, Adv.  
Mr. Bhuvan Kapoor, Adv.  
Mr. Zoheb Hossain, Adv.  
Mr. Manish Pushkarna, Adv.

Ms. G. Indira, AOR



Mr. Mahfooz Ahsan Nazki, AOR  
Mr. Polanki Gowtham, Adv.  
Mr. Kv Girish Chowdary, Adv.  
Mr. T Vijaya Bhaskar Reddy, Adv.  
Ms. Rajeswari Mukherjee, Adv.

Mr. V. N. Raghupathy, AOR  
Mr. Manendra Pal Gupta, Adv.  
Mr. Varun Varma, Adv.  
Ms. Prerana Priyanshu, Adv.  
Mr. M. Bangaraswamy, Adv.  
Mr. S. Shashank Reddy, Adv.  
Mr. Anurag M. Katarki, Adv.

Mr. Nishe Rajen Shonker, AOR  
Mrs. Anu K Joy, Adv.  
Mr. Abraham Mathew, Adv.  
Mr. Alim Anvar, Adv.

Mr. Sriharsha Peechara, Adv.  
Mr. Duvvuri Subrahmanya Bhanu, Adv.  
Ms. Pallavi, Adv.  
Mr. Kriti Sinha, Adv.  
Mr. Rajiv Kumar Choudhry , AOR

Mr. Sahil Bhalaik, AOR

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

**Item No.39**

**W.P.(s)(C) No.864/2022 & connected matters**

1. Mr. Balbir Singh, learned Additional Solicitor General of India seeks and is granted three weeks time to file counter affidavit.
2. Learned standing counsel for the States, who are yet to file the counter affidavit, also seek and are granted three weeks time to do the needful.
3. It is clarified that the counter affidavits may be filed only in one lead case.
4. Rejoinder affidavits, if any, may be filed within two weeks' thereafter.
5. Post these matters for hearing on 21.11.2023.
6. Interim order to continue.

**Item No.15**

**W.P.(C) No.1112/2023, W.P.(C) No.1115/2023, W.P.(C) No.1125/2023,  
W.P.(C) No.1138/2023, W.P.(C) No.1127/2023**

1. Issue notice, returnable on 21.11.2023.
2. Tag with W.P.(C) No.864/2022.
3. Meanwhile, the States of Tamil Nadu, Kerala, Karnataka and Telangana are restrained from levying border tax on the vehicles owned by the petitioners for which a valid All India Tourist Bus permit has been granted.

**Item No.44**

**W.P(C) No.1139/2023, W.P.(C) No.1143/2023, W.P.(C) No.1144/2023,  
W.P.(C) No.1147/2023**

1. Issue notice, returnable on 21.11.2023.
2. Tag with W.P.(C) No.864/2022.
3. Meanwhile, the States of Tamil Nadu, Kerala and Karnataka are restrained from levying border tax on the vehicles owned by the petitioners for which a valid All India Tourist Bus permit has been granted.

**Item No.45**

**W.P.(C) No(s).1156/2023**

1. Issue notice, returnable on 21.11.2023.
2. Tag with W.P.(C) No.864/2022.
3. Meanwhile, the States of Kerala and Karnataka are restrained from levying border tax on the vehicles owned by the petitioners for which a valid All India Tourist Bus permit has been granted.

**Item No.46**

**W.P.(C) No(s).1152/2023**

1. Issue notice, returnable on 21.11.2023.
2. Tag with W.P.(C) No.864/2022.
3. Meanwhile, the States of Tamil Nadu, Kerala, Karnataka and Telangana are restrained from levying border tax on the vehicles



owned by the petitioners for which a valid All India Tourist Bus permit has been granted.

(ARJUN BISHT)  
COURT MASTER (SH)

(RENU BALA GAMBHIR)  
COURT MASTER (NSH)