

ITEM NO.104

COURT NO.4

SECTION XI-A

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

Miscellaneous Application No. 1563/2017 in C.A. No. 4226/2012

ANWAR P.V.

Petitioner(s)

VERSUS

P K. BASHEER & ORS.

Respondent(s)

([TO GO BEFORE THREE HON'BLE JUDGES]
IA No. 131448/2017 - CLARIFICATION/DIRECTION)

Date : 08-08-2024 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SURYA KANT
HON'BLE MR. JUSTICE DIPANKAR DATTA
HON'BLE MR. JUSTICE UJJAL BHUYAN

For Petitioner(s) Mr. Jayanth Muth Raj, Sr. Adv.
Mr. Nishe Rajen Shonker, AOR
Mrs. Anu K Joy, Adv.
Mr. Alim Anvar, Adv.

For Respondent(s) Mr. Tushar Mehta, SG
Mr. M K Maroria, AOR

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

1. The issue for determination in this application is whether the Three Judge Bench Judgment of this Court in the case of "Anvar P.V. vs. P.K. Basheer & Ors. reported in 2015 (1) SCC 108 will apply prospectively or, following the settled principle that the declaration of law will relate back to the date when the law was enacted, the said judgment will have to be retrospective.
2. Before we determine the short question, we deem it appropriate to seek the assistance of learned Solicitor General of India.
3. The Registry is directed to issue notice to Mr.M.K.Maroria,

learned Standing Counsel for the Union of India along with a soft copy of the paper book of this application, who will brief the learned Solicitor General so that he may assist us on the next date of hearing.

4. List on 22.08.2024.

(NIRMALA NEGI)
COURT MASTER (SH)

(PREETHI T.C.)
ASSISTANT REGISTRAR