

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

Writ Petition(s) (Civil) No(s). 1012/2014

NATIONAL HUMAN RIGHTS COMMISSION  
THROUGH ITS SECRETARY GENERAL

Petitioner(s)

VERSUS

UNION OF INDIA MINISTRY OF HOME AFFAIRS  
THROUGH ITS SECRETARY & ORS.

Respondent(s)

(WITH APPLN(S) FOR GRANT OF INTERIM RELIEF-IA 1/2014)

Date : 01-09-2017 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE KURIAN JOSEPH  
HON'BLE MRS. JUSTICE R. BANUMATHIFor Petitioner(s) Mr. Gopal Subramaniam, Sr. Adv.  
Ms. Shobha, AOR  
Ms. Joyshree Barman, Adv.For Respondent(s) Ms. Pinky Anand, ASG  
Mr. Sachin Sharma, Adv.  
Ms. Sushma Verma, Adv.  
Mr. Gautam Sharma, Adv.  
Mr. Raj Bahadur, Adv.  
Ms. Saudamini Sharma, Adv.Ms. Binu Tamta, Adv.  
Mr. Arijit Prasad, Adv.  
Mr. Ajay Sharma, Adv.  
Mr. B.V. Balramdas, Adv.Mr. D.K. Singh, AAG  
Mr. Kamendra Mishra, Adv.  
Mr. Rajeev Kumar Dubey, Adv.  
Mr. Saurav Agrawal, Adv.  
Mr. Ravi Prakash Mehrotra, AOR  
Ms. Komal Mundhra, Adv.

Mr. V.V. Pattabhiram, Adv.

Mr. Nishant R. Katneswarkar, Adv.

Mr. Shuvodeep Roy, AOR

Mrs. D. Bharathi Reddy, AOR  
Ms. Rachna Gandhi, Adv.

Mr. M. Shoeb Alam, Adv.  
Ms. Fauzia Shakil, Adv.  
Mr. Ujjwal Singh, Adv.  
Mr. Mojahid Karim Khan, Adv.

Mr. Ranjan Mukherjee, AOR

Mr. V. N. Raghupathy, AOR  
Mr. Lagnesh Mishra, Adv.  
Mr. Parikshit P. Angadi, Adv.

Mr. Guntur Prabhakar, AOR  
Ms. Prerna Singh, Adv.

Mr. Sapam Biswajit Meitei, Adv.  
Mr. Naresh Kumar Gaur, Adv.  
Mr. M.N. Singh, Adv.  
Mr. Ashok Kumar Singh, AOR

Mr. Sanjay Kumar Visen, AOR

Mr. Pratap Venugopal, Adv.  
Ms. Surekha Raman, Adv.  
Ms. Niharika, Adv.  
Mr. Santosh Rebbalo, Adv.  
Mr. Aman Shukla, Adv.  
M/s. K.J. John and Co., AOR

Mr. V.G. Pragasam, AOR  
Mr. S. Prabu Ramasubramanian, Adv.  
Mr. Manu Sundaram, Adv.

Mr. Gopal Singh, AOR  
Mr. Rituraj Biswas, Adv.

Mr. Abhinav Mukerji, AOR  
Ms. Bihi Sharma, Adv.  
Ms. Purnima Krishna, Adv.

Mr. M. Yogesh Kanna, AOR  
Ms. Mahalakshmi, Adv.  
Ms. Sujatha Bagachi, Adv.

Mr. Harsha Vinoy, Adv.  
Mr. Milind Kumar, AOR

Mr. C.K. Sasi, AOR

Mr. Sunil Fernandes, Adv.

Mr. Mishra Saurabh, AOR  
Ms. Vanshaja Shukla, Adv.

Mr. Tapesk Kumar Singh, AOR  
Mr. Mohd. Waquas, Adv.  
Mr. Aditya Pratap Singh, Adv.

Mr. Sangram S. Saron, Adv.  
Mr. Shree Pal Singh, AOR

Mr. Shikhar Garg, Adv.  
Mr. Ganesh Bapu, Adv.  
Mr. P. V. Yogeswaran, AOR

Mr. D.S. Mahra, AOR

Mr. C. D. Singh, AOR  
Ms. Sakshi Kakkar, Adv.

Mr. Som Raj Choudhury, AOR

Ms. G. Indira, AOR  
Mr. K.V. Jagdishvaran, Adv.

Mr. Parijat Sinha, AOR

Ms. Sushma Suri, AOR

Ms. Hemantika Wahi, AOR  
Ms. Jesal Wahi, Dv.  
Ms. Puja Singh, Adv.  
Ms. Mamta Singh, Adv.

Mr. S. Udaya Kumar Sagar, AOR  
Mr. Mrityunjai Singh, Adv.

Ms. K. Enatoli Sema, AOR  
Mr. Edward Belho, Adv.  
Mr. Amit Kumar Singh, Adv.  
Mr. Luikang Michael, Adv.  
Mr. Z.H. Isaac Haiding, Adv.

Mr. R. Chatterjee, Adv.  
Mr. Piyush Sachdev, Adv.  
Mr. Adeel Ahmed, Adv.  
Mr. Chanchal Kumar Ganguli, AOR

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

This is a writ petition filed by the National Human Rights Commission with the following prayers:-

"a) issue a writ of Mandamus directing the concerned governments and police authorities to continue to send the reports/information asked for by the NHRC and to abide by guidelines issued by the NHRC in May-2010 in regard to the procedure to be adopted in cases of encounter killings; and/or;

b) to declare that the power of NHRC to enquire into cases of encounter killings in accordance with the provisions of Protection of Human Rights Act, 1993 and its own guidelines and to recommend compensation in appropriate cases is not in any way impacted by the guidelines issued by this Hon'ble Court in Criminal Appeal No.1255 of 1999 titled People's Union for Civil Liberties & Anr., v. State of Maharashtra & Ors. and/or;"

The judgment referred in Criminal Appeal No.1255/1999 is reported in (2014) 10 SCC 635. Having regard to the prayers made, we are of the view that it is only appropriate the matter is being heard by a Bench of minimum three Judges.

The Registry is directed to place the papers before Hon'ble the Chief Justice of India for appropriate directions.

The parties are free to complete their pleadings.

(NARENDRA PRASAD)  
COURT MASTER

(RENU DIWAN)  
ASST. REGISTRAR