

ITEM NO.18

COURT NO.3

SECTION PIL-W

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). 943/2021

ASHWINI KUMAR UPADHYAY

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

([TO BE TAKEN UP AS ITEM NO. 9.])

WITH

W.P. (C) No. 956/2020 (PIL-W)

IA No. 91135/2020 - APPROPRIATE ORDERS/DIRECTIONS
 IA No. 93533/2020 - CLARIFICATION/DIRECTION
 IA No. 96666/2020 - EARLY HEARING APPLICATION
 IA No. 91136/2020 - EXEMPTION FROM FILING AFFIDAVIT
 IA No. 105261/2020 - EXEMPTION FROM FILING AFFIDAVIT
 IA No. 94614/2020 - EXEMPTION FROM FILING AFFIDAVIT
 IA No. 91134/2020 - EXEMPTION FROM FILING AFFIDAVIT
 IA No. 94600/2020 - EXEMPTION FROM FILING AFFIDAVIT
 IA No. 94685/2020 - EXEMPTION FROM FILING AFFIDAVIT
 IA No. 98416/2020 - EXEMPTION FROM FILING AFFIDAVIT
 IA No. 90944/2020 - EXEMPTION FROM FILING AFFIDAVIT
 IA No. 93535/2020 - EXEMPTION FROM FILING AFFIDAVIT
 IA No. 94668/2020 - EXEMPTION FROM FILING AFFIDAVIT
 IA No. 92913/2020 - EXEMPTION FROM FILING AFFIDAVIT
 IA No. 91171/2020 - EXEMPTION FROM FILING AFFIDAVIT
 IA No. 92885/2020 - INITIATING CONTEMPT PROCEEDINGS
 IA No. 95675/2020 - INTERVENTION APPLICATION
 IA No. 95066/2020 - INTERVENTION APPLICATION
 IA No. 96664/2020 - INTERVENTION APPLICATION
 IA No. 94643/2020 - INTERVENTION APPLICATION
 IA No. 96369/2020 - INTERVENTION APPLICATION
 IA No. 94633/2020 - INTERVENTION APPLICATION
 IA No. 95678/2020 - INTERVENTION APPLICATION
 IA No. 108087/2020 - INTERVENTION APPLICATION
 IA No. 94621/2020 - INTERVENTION/IMPLEADMENT
 IA No. 94683/2020 - INTERVENTION/IMPLEADMENT
 IA No. 98414/2020 - INTERVENTION/IMPLEADMENT
 IA No. 94667/2020 - INTERVENTION/IMPLEADMENT
 IA No. 105260/2020 - PERMISSION TO FILE ADDITIONAL
 DOCUMENTS/FACTS/ANNEXURES)
 SLP(C) No. 6913/2021 (XII-A)
 (FOR ADMISSION and I.R. and IA No.61254/2021-EXEMPTION FROM FILING
 C/C OF THE IMPUGNED JUDGMENT and IA No.61346/2021-EXEMPTION FROM
 FILING AFFIDAVIT and IA No.61255/2021-EXEMPTION FROM FILING
 AFFIDAVIT and IA No.61345/2021-INTERVENTION/IMPLEADMENT and IA

No.61253/2021-PERMISSION TO APPEAR AND ARGUE IN PERSON)

W.P. (C) No. 80/2022 (PIL-W)

(FOR ADMISSION and IA No.17397/2022-EXEMPTION FROM FILING O.T.)

W.P. (C) No. 477/2020 (PIL-W)

IA No. 48986/2020 - EX-PARTE STAY

IA No. 48987/2020 - EXEMPTION FROM FILING O.T.

IA No. 51005/2020 - INTERVENTION/IMPLEADMENT)

W.P. (C) No. 788/2020 (PIL-W)

IA No. 50785/2020 - INTERVENTION/IMPLEADMENT

IA No. 48329/2020 - INTERVENTION/IMPLEADMENT

IA No. 72236/2020 - STAY APPLICATION)

W.P. (C) No. 789/2020 (PIL-W)

IA No. 50786/2020 - INTERVENTION/IMPLEADMENT

IA No. 48338/2020 - INTERVENTION/IMPLEADMENT

IA No. 72228/2020 - STAY APPLICATION)

W.P. (Crl.) No. 391/2021 (X)

(FOR ADMISSION and IA No.118374/2021-EX-PARTE AD-INTERIM RELIEF and IA No.118376/2021-EXEMPTION FROM FILING O.T. and IA No.118377/2021-EXEMPTION FROM FILING AFFIDAVIT)

W.P. (C) No. 907/2021 (PIL-W)

(FOR ADMISSION and IA No.100429/2021-EXEMPTION FROM FILING AFFIDAVIT)

IA No. 100429/2021 - EXEMPTION FROM FILING AFFIDAVIT)

W.P. (C) No. 1265/2021 (X)

(FOR ADMISSION and IA No.150287/2021-EXEMPTION FROM FILING O.T.)

W.P. (C) No. 24/2022 (PIL-W)

IA No. 18251/2022 - APPLICATION FOR TAKING ON RECORD

IA No. 56876/2022 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 64016/2022 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 61197/2022 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 59757/2022 - EXEMPTION FROM FILING O.T.

IA No. 5583/2022 - EXEMPTION FROM FILING O.T.

IA No. 7452/2022 - INTERVENTION APPLICATION

IA No. 5581/2022 - INTERVENTION APPLICATION

IA No. 9313/2022 - INTERVENTION APPLICATION

IA No. 56873/2022 - INTERVENTION/IMPLEADMENT

IA No. 18250/2022 - INTERVENTION/IMPLEADMENT

IA No. 12769/2022 - INTERVENTION/IMPLEADMENT

IA No. 11469/2022 - INTERVENTION/IMPLEADMENT

IA No. 8935/2022 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

IA No. 64054/2022 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 21-07-2022 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.M. KHANWILKAR

HON'BLE MR. JUSTICE ABHAY S. OKA

HON'BLE MR. JUSTICE J.B. PARDIWALA

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Mr. V. Elanchezhian, AOR

Petitioner-in-person

For Respondent(s)

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Mr. B.A. Wadhmare, Adv.
 Mr. Hitesh Kumar sharma, Adv.
 Mr. Akhileshwar Jha, Adv.
 Mr. Subhash S. Kadam, Adv.

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

We have heard learned counsel for the parties.

Considering the nature of issues involved and in the backdrop of directions issued by this Court in *Shakti Vahini Vs. Union of India & Ors.*¹, *Tehseen S. Poonawalla Vs. Union of India & Ors.*² and *Kodungallur Film Society and Anr. Vs. Union of India & Ors.*³, we request the Secretary, Home Affairs, Government of India to collate relevant information from the respective States/Union Territories in respect of matters referred in the common chart to be made over by the learned counsel for the petitioners to the learned Additional Solicitor General. The petitioners shall handover the format of the chart to the learned Additional Solicitor General within one week from today.

¹ (2018) 7 SCC 192 (paragraph 55)

² (2018) 9 SCC 501 (paragraphs 40 and 41)

³ (2018) 10 SCC 713 (Paragraphs 20 and 21)

The information essentially should be in respect of matters as to the status of compliance by the respective States/Union Territories in relation to directions/observations in the aforesaid decisions of this Court to provide for preventive, corrective and remedial measures for dealing with the occurrence of untoward situations referred to in the respective writ petitions.

The Secretary, Home Affairs may collate necessary information by corresponding directly with the Secretary, Home Department of the respective States/Union Territories within three weeks from today and compile the information in the form of a booklet containing State-wise comments to be presented to this Court within six weeks from today.

We request the concerned Secretaries of the respective States/Union Territories to furnish the requisite information upon receipt of communication from the Secretary, Home Affairs, Government of India within two weeks to enable the Secretary, Home Affairs, Government of India to compile the necessary information and present it before this Court within the time specified above.

In the meantime, the respondents-Union of India/States/Union Territories/Election Commission of India to file response in the respective writ petitions within three weeks from today.

The petitioners are free to file rejoinder thereto within one week thereafter.

List these matters on 14.09.2022 (NMD) .

(DEEPAK SINGH)
COURT MASTER (SH)

(VIDYA NEGI)
ASSISTANT REGISTRAR