

ITEM NO.18

COURT NO.1

SECTION X

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 (Civil) No.179/2024

UMANG SINGHAR

Petitioner(s)

VERSUS

STATE OF MADHYA PRADESH & ORS.

Respondent(s)

(With IA No.66830/2024-STAY APPLICATION and IA No.66831/2024-EXEMPTION FROM FILING O.T.)

Date : 22-03-2024 This petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE J.B. PARDIWALA
HON'BLE MR. JUSTICE MANOJ MISRA

For Petitioner(s) Mr. Kapil Sibal, Sr. Adv.
Mr. Vivek K. Tankha, Sr. Adv.
Mr. Vibhor Khandelwal, Adv.
Mr. Sumeer Sodhi, AOR
Mr. Varun Tankha, Adv.
Mr. Prasang Sharma, Adv.
Mr. Inder Dev Singh, Adv.
Mr. Vipul Tiwari, Adv.

For Respondent(s) Mr. Tushar Mehta, SG
Mr. Prashant Singh, Adv. Gen.
Mr. K M Nataraj, ASG
Mr. Saurabh Mishra, AAG
Mr. Bharat Singh, AAG
Mr. D.S. Parmar, Aag
Ms. Indira, Adv.
Mr. Abhimanyu Singh, Adv.

Mr. Sunny Chaudhary, Adv.

**UPON perusing papers the Court made the following
O R D E R**

- 1 We have heard Mr Kapil Sibal and Mr Vivek Tankha, senior counsel for the petitioner and Mr Tushar Mehta, Solicitor General of India for the respondent-State.
- 2 The submission which has been urged is that Section 3 of the Madhya Pradesh Lokayukt Evam Up-Lokayukt Adhiniyam 1981 Act requires consultation with the Chief Justice and the Leader of the Opposition in the Legislative Assembly for the appointment of the Lokayukt. In the present case, it has been submitted that after one out of three names was finalized by the Government with the Chief Justice, only a solitary name was placed before the petitioner for according his consent. We are of the view that bearing in mind the country-wide ramifications, it would be appropriate for this Court to lay down parameters for conducting an effective consultation in such cases.
- 3 Issue notice only to the first respondent, returnable in three weeks.
- 4 Mr Tushar Mehta, Solicitor General of India accepts notice on behalf of the first respondent and waives service.
- 5 Counter affidavit be filed within a period of two weeks.
- 6 The original file shall be produced before this Court on the next date of listing.
- 7 A brief set of written submissions not exceeding five pages each shall be filed by the petitioners and the respondent-State. A common compilation of such judgments which are sought to be relied upon shall be prepared in terms of the Circular dated 22 August 2023.

- 8 Mr Sumeer Sodhi, counsel for the petitioner and Mr Sunny Chaudhary, counsel for the respondent are appointed as nodal counsel to prepare the compilation and file the written submissions in the electronic mode, which shall also be emailed to cmvc.dyc@gmail.com.
- 9 List the Petition on 15 April 2024.

(CHETAN KUMAR)
A.R. -cum-P.S.

(SAROJ KUMARI GAUR)
Assistant Registrar