

IN THE SUPREME COURT OF INDIA
INHERENT JURISDICTION

Contempt Petition (Civil) No _____ of 2021
(D No 19670 of 2021)

in

Writ Petition (Civil) No 1109 of 2020

Nilam Gorwade & Ors

... Petitioner(s)

Versus

Manoj Mukund Naravane & Ors

... Respondent(s)

Contempt Petition (Civil) No _____ of 2021
(D No 21473 of 2021)

in

Writ Petition (Civil) No 1172 of 2020

Contempt Petition (Civil) No _____ of 2021
(D No 21484 of 2021)

in

Writ Petition (Civil) No 1158 of 2020

Contempt Petition (Civil) No _____ of 2021
(D No 21474 of 2021)

in

Writ Petition (Civil) No 1457 of 2020

ORDER

1 Applications for permission to file the Contempt Petitions are allowed.

2 The breach which has been set up is in the implementation of the directions contained in paragraph 120 of the judgment of this Court in **Lt Col Nitisha v Union of India**¹.

1 Writ Petition (Civil) No 1109 of 2020

3 Responding to the concerns expressed in these proceedings, the respondents
have taken steps to assuage the grievance of the Women Short Service
Commissioned Officers².

4 As a result of the steps taken by the respondents, the present position has been
indicated by Mr Sanjay Jain, Additional Solicitor General appearing with Mr R
Balasubramanian, Senior Counsel for the Union of India and the Ministry of
Defence:

- Out of a total of seventy two WSSCOs who were not initially considered eligible
for the grant of Permanent Commission³, one officer opted for release.
- Out of thirty five WSSCOs who have moved the contempt proceedings, twenty
one have, on further review, been granted PC, while the case of one officer is
being separately considered for the grant of PC.
- As a result, fourteen out of thirty-five WSSCOs have been left out in the above
process for the grant of PC.
- Out of the above fourteen officers, three officers have been found to be
medically unfit in terms of the criteria specified in paragraph 120(iii) of the
judgment of this Court.
- The remaining eleven officers would be granted PC within a period of ten days.

5 The Additional Solicitor General states that those officers, whose cases are not
before the Court in the contempt proceedings, but who fulfil the criteria
specified in paragraph 120 of the judgment of this Court, would be granted PC
within a period of three weeks from the date of this order. This will obviate the

2 “WSSCOs”

3 “PC”

need for WSSCOs to move this Court individually for remedial steps.

- 6 In terms of paragraph 120(ii) of the directions of this Court, those WSSCOs who have disciplinary and vigilance clearances are eligible for the grant of PC, subject to their meeting the other conditions which have been specified in paragraph 120.
- 7 As regards Lt Col Akanksha Srivastava (Petitioner No 3 in Contempt Petition (Civil) Diary No 19670 of 2021) and Lt Col Himalini Pant (Petitioner No 11 in Contempt Petition (Civil) Diary 19670 of 2021, the ASG states that their cases would be duly considered in terms of the parameters which have been laid down in paragraph 120 of the judgment of this Court within a period of one month from the date of this order. In the event that they are not found suitable for the grant of PC, a reasoned order shall be communicated to them specifying the ground for rejection.
- 8 Any cases which have been left out shall also be considered in terms of the paragraph 120 of the judgment of this Court (as clarified in para 4 above) and the WSSCOs shall be duly intimated.
- 9 The Court expresses its appreciation of the fair and objective assistance which has been rendered by Mr Sanjay Jain, Additional Solicitor General and Mr R Balasubramanian, Senior Counsel and by the learned counsel appearing on behalf of the WSSCOs, namely, Mr Huzefa Ahmadi, Senior Counsel, Ms V Mohana, Senior Counsel and Mr Sudhanshu S Pande, Counsel.
- 10 The contempt petitions are accordingly disposed of.
- 11 Pending application, including the application for impleadment, are disposed of.

.....J.
[Dr Dhananjaya Y Chandrachud]

.....J.
[A S Bopanna]

New Delhi;
November 12, 2021
-S-

ITEM NO.7 Court 4 (Video Conferencing) 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

CONTEMPT PETITION (CIVIL) Diary No(s).19670/2021 in
W.P.(C) No. 1109/2020

NILAM GORWADE & ORS. Petitioner(s)

VERSUS

MANOJ MUKUND NARAVANE & ORS. Respondent(s)

(WITH IA No. 103799/2021 - APPLICATION FOR PERMISSION, IA No. 128417/2021 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 103801/2021 - EXEMPTION FROM FILING AFFIDAVIT)

WITH

Diary No(s). 21473/2021 (X)

(WITH IA No. 114583/2021 - APPLICATION FOR PERMISSION, IA No. 128510/2021 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 113910/2021 - EXEMPTION FROM FILING AFFIDAVIT, IA No. 128514/2021 - EXEMPTION FROM FILING AFFIDAVIT)

Diary No(s). 21484/2021 (X)

(WITH IA No. 128497/2021 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 114013/2021 - EXEMPTION FROM FILING AFFIDAVIT, IA No. 128503/2021 - EXEMPTION FROM FILING AFFIDAVIT)

Diary No(s). 21474/2021 (X)

(WITH IA No. 113913/2021 - APPLICATION FOR PERMISSION, IA No. 128489/2021 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 128494/2021 - EXEMPTION FROM FILING AFFIDAVIT, IA No. 113922/2021 - EXEMPTION FROM FILING AFFIDAVIT)

Date : 12-11-2021 These petitions were called on for hearing today.

CORAM : HON'BLE DR. JUSTICE D.Y. CHANDRACHUD
HON'BLE MR. JUSTICE A.S. BOPANNA

For petitioner(s) Ms. V. Mohana, Sr. Adv.
Mr. Rakesh Kumar, AOR
Ms. Alka Verma, Adv.
Ms. Frida Nicholas, Adv.
Mr. Anupam Kirti, Adv.

Ms. V Mohana, Sr. Adv.
Mr. Huzefa Ahmadi, Sr. Adv.
Mr. Sudhanshu S. Pandey, Adv
Mr. Gaichangpou Gangmei, AOR

For respondent(s) Mr. Sanjay Jain, ASG
Mr. R. Balasubramanian, Sr. Adv.
Mr. Adit Khorana, Adv.

Ms. Shraddha Deshmukh, Adv.
Ms. Seema Bengani, Adv.
Mr. Amit Khanna, Adv.
Mr. Arvind Kumar Sharma, AOR

Mr. Vibhav Mishra, Adv.
Mr. Ekansh Bansal, Adv.
Mr. Abhay Upadhyaya, Adv.
Ms. Juhi Mishra, Adv.
Mr. Parmanand Gaur, AOR

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

- 1 Applications for permission to file the Contempt Petitions are allowed.
- 2 The contempt petitions are disposed of in terms of the signed order.
- 3 Pending applications, including the application for impleadment, are disposed of.

**(SANJAY KUMAR-I)
AR-CUM-PS**

**(SAROJ KUMARI GAUR)
COURT MASTER**

(Signed order is placed on the file)