

ITEM NO.21

COURT NO.1

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 (Civil) No.699/2016

ASHWINI KUMAR UPADHYAY

Petitioner(s)

VERSUS

UNION OF INDIA & ANR.

Respondent(s)

(With IA No.142097/2022 - APPLICATION FOR PERMISSION, IA No.73459/2019 - APPROPRIATE ORDERS/DIRECTIONS, IA No.8016/2022 - APPROPRIATE ORDERS/DIRECTIONS, IA No.107427/2018 - APPROPRIATE ORDERS/DIRECTIONS, IA No.39027/2020 - APPROPRIATE ORDERS/DIRECTIONS, IA No.2029/2020 - CLARIFICATION/DIRECTION, IA No.143394/2021 - CLARIFICATION/DIRECTION, IA No.136819/2017 - CLARIFICATION/DIRECTION, IA No.126476/2021 - CLARIFICATION/DIRECTION, IA No.108743/2021 - CLARIFICATION/DIRECTION, IA No.55244/2022 - CLARIFICATION/DIRECTION, IA No.54637/2017 - CLARIFICATION/DIRECTION, IA No.156548/2022 - CLARIFICATION/DIRECTION, IA No.81287/2018 - CLARIFICATION/DIRECTION, IA No.54552/2017 - DIRECTIONS, IA No.97487/2022 - EXEMPTION FROM FILING AFFIDAVIT, IA No.146933/2018 - EXEMPTION FROM FILING O.T., IA No.130543/2018 - EXEMPTION FROM FILING O.T., IA No.91514/2022 - EXEMPTION FROM FILING O.T., IA No.103522/2019 - EXEMPTION FROM FILING O.T., IA No.55246/2022 - EXEMPTION FROM FILING O.T., IA No.168881/2022 - EXEMPTION FROM FILING O.T., IA No.107431/2018 - EXEMPTION FROM FILING O.T., IA No.101624/2021 - EXEMPTION FROM FILING O.T., IA No.149485/2021 - EXEMPTION FROM FILING O.T., IA No.81286/2018 - INTERVENTION APPLICATION, IA No.2027/2020 - INTERVENTION APPLICATION, IA No.204637/2022 - INTERVENTION APPLICATION, IA No.127368/2018 - INTERVENTION APPLICATION, IA No.2083/2019 - INTERVENTION APPLICATION, IA No.20037/2023 - INTERVENTION/IMPLEADMENT, IA No.58124/2017 - INTERVENTION/IMPLEADMENT, IA No.57812/2017 - INTERVENTION/IMPLEADMENT, IA No.108742/2021 - INTERVENTION/IMPLEADMENT, IA No.127023/2018 - INTERVENTION/IMPLEADMENT, IA No.55243/2022 - INTERVENTION/IMPLEADMENT, IA No.156559/2022 - INTERVENTION/IMPLEADMENT, IA

No.127553/2020 - INTERVENTION/IMPLEADMENT, IA No.7992/2022 - INTERVENTION/IMPLEADMENT, IA No.156545/2022 - INTERVENTION/IMPLEADMENT, IA No.2085/2019 - PERMISSION TO APPEAR AND ARGUE IN PERSON, IA No.98425/2019 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, IA No.105809/2021 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, IA No.72938/2019 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES and IA No.130542/2018 - STAY APPLICATION)

Date : 15-09-2023 These matters were called on for hearing today.

CORAM :

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

Mr. Vijay Hansaria, Sr. Adv. (A.C.)

For Petitioner(s)

Mr. Ashwani Kumar Dubey, AOR

For Respondent(s)

Mr. Pranav Sachdeva, AOR

Mr. Balaji Srinivasan, AOR
Mr. Rohan Dewan, Adv.
Ms. Sukanya Joshi, Adv.

Mr. Tushar Mehta, SG
Mr. K M Nataraj, ASG
Ms. Sonia Mathur, Sr. Adv.
Mr. V.Mohana, Adv.
Mr. K. Parmeshwar, Adv.
Mr. Mohd Akhil, Adv.
Mrs. Rajat Nair, Adv.
Mr. Apoorv Kurup, Adv.
Mr. Arvind Kumar Sharma, AOR

Mr. Sahil Tagotra, AOR
Mr. Sidhant Kumar, Adv.
Ms. Vidhi Udayshankar, Adv.
Ms. Abhivyakti Banerjee, Adv.
Ms. Sakshi Garg, Adv.

Mr. Shiv Ram Sharma, AOR

Mr. P.N. Ravindran, Sr. Adv.
Mr. T.G. Narayanan Nair, AOR
Ms. Swathi H. Prasad, Adv.

Mr. P.S. Sudheer, AOR

Mr. Vinod Ghai, Sr. Adv.
Mr. Aman Pal, AAG
Mr. Prashant Manchanda, AAG
Mr. Ajay Pal, AOR

Ms. K. Enatoli Sema, AOR
Ms. Limayinla Jamir, Adv.
Mr. Amit Kumar Singh, Adv.
Ms. Chubalemla Chang, Adv.
Mr. Prang Newmai, Adv.

Mr. Anupam Raina, AOR
Mr. Nishant Kumar, Adv.
Mr. Osheen Bhat, Adv.

Mr. Anandh Kannan N., AOR

Mr. Raghvendra Kumar, AOR
Mr. Anand Kumar Dubey, Adv.
Ms. Harsha Sharma, Adv.
Mr. Maneesh Pathak, Adv.

Ms. G. Indira, AOR
Mrs. Swarupama Chaturvedi, AOR

Mr. Abhishek Atrey, AOR
Dr. Abhishek Atrey, Adv.

Mr. Ravindra Lokhande, Adv.
Ms. Vidyottama Jha, Adv.

Mr. Gaurav Agrawal, AOR

Mr. Baldev Singh, Adv.
Mr. Rajeev Kumar Gupta, Adv.
Mr. Tavleen Singh, Adv.
Ms. Vallabhi Shukla, Adv.
Mr. Joginder Mann, Adv.
Mr. Divyansh Thakur, Adv.
Mr. Bimlesh Kumar Singh, AOR
Mr. Kanwal Chaudhary, Adv.
Ms. Niharika, Adv.

Mr. Shuvodeep Roy, AOR
Mr. Deepayan Dutta, Adv.

Mr. Apoorv Kurup, AOR
Ms. Kirti Dadheech, Adv.

Mr. Aravindh S., AOR
Mr. Abbas, Adv.

Mr. S.C. Verma, Sr. Adv.
Mr. Sumeer Sodhi, AOR
Mr. Yash Gupta, Adv.

Mr. Siddhesh Shirish Kotwal, AOR
Mr. Tejasvi Gupta, Adv.
Mr. Pawan Upadhyay, Adv.

Mr. Sibho Sankar Mishra, AOR

Intervenor-in-person

Mr. Abhimanue Shrestha, AOR

Mr. Nishe Rajen Shonker, AOR
Mrs. Anu K Joy, Adv.
Mr. Alim Anvar, Adv.

Ms. Enakshi Mukhopadhyay Siddhanta, AOR
Mr. Sovan Siddhanta, Adv.

Ms. Hemantika Wahi, AOR

M/s. Gorkela Law Office

Mr. Shantanu Sagar, AOR
Mr. Vaibhav Jain, Adv.
Mr. Prabhat Ranjan Raj, Adv.
Mr. Sidharth Sarthi, Adv.
Mrs. Divya Mishra, Adv.
Mr. Anil Kumar, Adv.
Mr. Gunjesh Ranjan, Adv.
Ms. Priyadarshni Priya, Adv.

Mr. Gautam Narayan, AOR
Ms. Asmita Singh, Adv.
Mr. Harshit Goel, Adv.
Mr. Siddhant Singh, Adv.

Mr. Santosh Krishnan, AOR
Ms. Deepshikha Sansanwal, Adv.
Mr. Shaik Mohammed Haneef, Adv.

Mr. Tapesk Kumar Singh, AOR
Mr. Aditya Pratap Singh, Adv.
Mr. Priyanshu Malik, Adv.

Mr. Gaurav Sharma, Adv.
Mr. Naresh K. Sharma, AOR

Mr. Chirag M. Shroff, AOR

Mr. Krishnam Mishra, Adv.
Mr. Rajeev Kumar Dubey, Adv.
Mr. Ashiwan Mishra, Adv.
Ms. Vaidruti Mishra, Adv.
Ms. Shrya Jain, Adv.
Mr. Kamendra Mishra, AOR

Mr. Raghavendra S. Srivatsa, AOR

Mr. Likhi Chand Bonsle, Adv.
Ms. Komal Mundhra, Adv.
Ms. Anagha N. Sharma, Adv.

Mr. Anil Shrivastav, A.A.G., AOR

Mr. V.N. Raghupathy, AOR
Mr. Manendra Pal Gupta, Adv.
Mr. Md. Apzal Ansari, Adv.
Mr. M. Bangaraswamy, Adv.
Mr. S. Shashank Reddy, Adv.
Mr. Dhanesh Ieshdhan, Adv.

Mr. Pukhrambam Ramesh Kumar, AOR
Mr. Karun Sharma, Adv.

Dr. Manish Singhvi, Sr. Adv.
Mr. Sandeep Kumar Jha, AOR
Ms. Shubhangi Agarwal, Adv.

Mr. Sabarish Subramanian, AOR
Mr. Vishnu Unnikrishnan, Adv.
Mr. C. Kranthi Kumar, Adv.
Mr. Naman Dwivedi, Adv.
Mr. Danish Saifi, Adv.

Mr. Ambhoj Kumar Sinha, AOR

Mr. Ranjan Mukherjee, AOR

M/s. Arputham Aruna & Co.

Dr. Joseph Aristotle S., AOR

Mr. Vikramjit Banerjee, ASG
Mr. K.V. Sreemuthin, Adv.
Ms. Priyadarshini Priya, Adv.
Mr. Saransh Kumar, Adv.
Mr. Vishnu Jain, Adv.
Dr. Arun Kumar Yadav, Adv.
Mr. Shreekant Neelappa Terdal, AOR

Mr. Arjun Garg, AOR
Mr. Shobhit Jain, Adv.
Mr. Aakash Nandolia, Adv.
Ms. Sagun Srivastava, Adv.
Ms. Shreya Bansal, Adv.

Mrs. Anil Katiyar, AOR

Mr. Mahesh Thakur, AOR

Ms. K.V. Bharathi Upadhyaya, AOR

Mr. Shailesh Madiyal, AOR

Ms. Radhika Gautam, AOR

Mr. Karan Bharihoke, AOR

Mr. Satish Pandey, AOR

Mr. Malak Manish Bhatt, AOR

Mr. Abhinav Mukerji, AOR
Mrs. Bihu Sharma, Adv.
Mr. Mohit Prasad, Adv.

Mr. Sanjay Kumar Tyagi, AOR
Mr. Sunil Kumar Tomar, Adv.
Mr. Ajay Kumar Pandey, Adv.
Mr. Kameshwar Nath Mishra, Adv.

Mr. Narendra Kumar, AOR

Mr. Sandeep Sudhakar Deshmukh, AOR
Mr. Nishant Sharma, Adv.
Mr. Akshay Subhash Jagtap, Adv.

Mr. Maibam Nabaghanashyam Singh, AOR
Mr. Shakti K Pattanaik, Adv.

Mr. Sunny Choudhary, AOR

Mr. Karan Bishnoi, Adv.

Mr. Kunal Chatterji, AOR
Ms. Maitrayee Banerjee, Adv.
Mr. Rohit Bansal, Adv.
Ms. Kshitij Singh, Adv.

Ms. Uttara Babbar, AOR

Mr. Sameer Abhyankar, AOR
Ms. Vani Vandana Chhetri, Adv.
Ms. Nishi Sangtani, Adv.
Mr. Naman Jain, Adv.

Mr. Anand Dilip Landge, Adv.
Mr. Siddharth Dharmadhikari, Adv.
Mr. Aaditya Aniruddha Pande, AOR
Mr. Bharat Bagla, Adv.
Mr. Sourav Singh, Adv.
Mr. Aditya Krishna, Adv.

Mr. Kabir Dixit, AOR
Mr. P.V. Yogeswaran, AOR
Mr. Ashok Mathur, AOR
Ms. Jesal Wahi, AOR

Mr. Sanjai Kumar Pathak, AOR
Mr. Arvind Kumar Tripathi, Adv.
Mrs. Shashi Pathak, Adv.

Mr. Anandh Kannan N., AOR

M/s. PLR Chambers & Co.

Mr. Shovan Mishra, AOR

Mr. B.K. Satija, AAG
Mr. Samar Vijay Singh, AOR
Mr. Keshav Mittal, Adv.
Ms. Sabarni Som, Adv.
Ms. Yagya Kalla, Adv.

**Mr. Vijay Hansaria, Sr. Adv.
Ms. Sneha Kalita, AOR
Ms. Kavya Jhavar, Adv.**

Ms. Aswathi M.K., AOR

**Mr. Nishant Rao, Adv.
Mr. E.C. Agrawala, AOR**

**Mr. Bhanu Mishra, Adv.
Ms. Muskan Surana, Adv.
Ms. Astha Sharma, AOR**

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

- 1 Orders have already been reserved on 11 September 2023 by a Bench consisting of the Chief Justice, Mr Justice P S Narasimha and Mr Justice Manoj Misra on the issue of expediting the disposal of criminal cases against the MPs and MLAs.
- 2 The second aspect which is raised in the Petition pertains to the validity of Section 8 of the Representation of Peoples Act limiting/restricting the period of disqualification to six years. The proceedings on this aspect shall be taken up separately on 7 November 2023.
- 3 List the Petition on 7 November 2023.

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

**(RENU BALA GAMBHIR)
COURT MASTER**