

2023 LiveLaw (SC) 612

IN THE SUPREME COURT OF INDIA
SANJIV KHANNA; J., S.V.N. BHATTI; J.

Writ Petition(s)(Civil) No(s). 436/2023; 04-08-2023

ASSOCIATION FOR DEMOCRATIC REFORMS *versus* UNION OF INDIA & ORS.

Constitution of India, 1950; Article 32 - Public Interest Litigation (PIL) challenging appointment of Election Commissioner – Held, the appointment of the Election Commissioner, which is the subject matter of the present writ petition, has been examined the Constitution Bench in *Anoop Baranwal vs. Union of India*, **2023 LiveLaw (SC) 155**. The Constitution Bench did not pass any effective order disturbing the appointment, though the relevant files and all other factors have been taken into consideration. PIL dismissed.

For Petitioner(s) Mr. Prashant Bhushan, AOR Mr. Rahul Gupta, Adv.

For Respondent(s) Mr. Tushar Mehta, S.G. Mr. Rajat Nair, AOR

ORDER

We have heard Mr. Prashant Bhushan, learned counsel appearing on behalf of the petitioner, and have gone through the Public Interest Litigation Writ Petition under Article 32 of the Constitution of India.

Our attention is drawn to the judgment of the Constitution Bench in “***Anoop Baranwal vs. Union of India***” reported in (2023) SCC OnLine SC 216 and, in particular to paragraphs beginning from 200. The appointment of the Election Commissioner, which is the subject matter of the present writ petition, has been examined in the aforesaid paragraphs. We find that the Constitution Bench did not pass any effective order disturbing the appointment, though the relevant files and all other factors have been taken into consideration.

In view of the aforesaid, we are not inclined to issue notice in the present writ petition and the same is, accordingly, dismissed.

Pending application(s), if any, shall stand disposed of.