

2022 LiveLaw (SC) 636

**IN THE SUPREME COURT OF INDIA
DR. D.Y. CHANDRACHUD; J., SURYA KANT; J.**

**Miscellaneous Application No.2362-2370/2019 in Crl.A. No. 254-262/2012; 26-07-2022
IMTIYAZ AHMAD versus THE STATE OF UTTAR PRADESH & ORS.**

Judicial Infrastructure - Supreme Court directs the Law Secretaries of all State Governments to file affidavits relating to budget allocation and utilization.

Ms. Vibha Datta Makhija, Sr. Adv. (A.C.) Ms. Baani Khanna, Adv. Mr. Karan M., Adv. Mr. Praveen Gaur, Adv. Ms. Sampri Bakshi, Adv.

For Petitioner(s) By Courts Motion, AOR Mr. Ajay Kumar Singh, AOR

For Respondent(s) Mr. K M Nataraj, ASG Mr. Anmol Chandan, Adv. Mr. Rajat Nair, Adv. Mr. T. A. Khan, Adv. Mr. Adit Khorana, Adv. Mr. Sughosh Subramaniam, Adv. Mr. Arvind Kumar Sharma, AOR Mr. S. R. Singh, Sr. Adv. Mr. Pradeep Misra, AOR Mr. Suraj Singh, Adv. Ms. Charu Mathur, AOR Mr. T. G. Narayanan Nair, AOR Mr. Krishnanand Pandeya, AOR Mr. Sandeep Sudhakar Deshmukh, AOR Mr. Nikhil Goel, AOR Mr. Avneesh Arputham, Adv. Ms. Anuradha Arputham, Adv. Mr. Praveen Kr. Singh, Adv. M/S. Arputham Aruna And Co, AOR Mr. Amit Gupta, AOR Mr. Abhinav Mukerji, AOR Mr. Akshay C. Shrivastava, Adv. Mrs. Bihu Sharma, Adv. Ms. Pratishtha Vij, Adv. Ms. Archana Pathak Dave, Adv. Ms. Deepanwita Priyanka, AOR Mr. S. Udaya Kumar Sagar, AOR Mr. Sweena Nair, Adv. Mr. P. Mohith Rao, Adv. Mr. Mahfooz Ahsan Nazki, AOR Mr. Polanki Gowtham, Adv. Mr. Shaik Mohamad Haneef, Adv. Mr. T. Vijaya Bhaskar Reddy, Adv. Ms. Rajeswari Mukherjee, Adv. Mr. K. V. Girish Chowdary, Adv. Mr. Kamal Mohan Gupta, AOR Mr. V. Shyamohan, AOR Mr. Aditya Sharma, Adv. M/S. Parekh & Co., AOR Mr. Roopesh Singh, Adv. Ms. Jaspreet Gogia, AOR Mr. Kuldip Singh, AOR Ms. Pragati Neekhra, AOR Mr. Tapesk Kumar Singh, AAG Mr. K. Anurag Singh, Adv. Ms. Pragya Baghel, Adv. Ms. Tulika Mukherjee, AOR Mr. Jatinder Kumar Bhatia, AOR Mr. Ashutosh Kumar Sharma, Adv. Mr. T. V. Ratnam, AOR Mr. Mukesh K. Giri, AOR Mr. Anupam Raina, AOR Mr. Sunando Raha, Adv. Ms. Taruna Ardhendumauli Prasad, AOR Mr. Amit Kumar Singh, Adv. Ms. K. Enatoli Sema, AOR Ms. Chubalemla Chang, Adv. Mr. Arjun Garg, AOR Mr. Shobhit Jain, Adv. Mr. Aakash Nandolia, Adv. Ms. Sagun Srivastava, Adv. Mr. Soumya Chakraborty, Sr. Adv. Mr. Sudeep Kumar, AOR Ms. Manisha, Adv. Mr. R. Ayyam Perumal, AOR Mr. Sharan Thakur, Adv. Mr. Mahesh Thakur, AOR Mr. Siddharth Thakur, Adv. Mr. Bishwendra Singh, Adv. Ms. Vipasha Singh, Adv. Mr. Ajay Kanojiya, Adv. Ms. Shivani, Adv. Ms. Radhika Gautam, AOR Mr. Naresh K. Sharma, AOR Mr. Kunal Chatterji, AOR Ms. Maitrayee Banerjee, Adv. Mr. Rohit Bansal, Adv. Mr. Apoorv Kurup, AOR Mr. Mukul Kumar, AOR Mr. Raghvendra Kumar, Adv. Mr. Anand Kuamr Dubey, Adv. Mr. Simanta Kumar, Adv. Mr. Nishant Verma, Adv. Ms. Rajlakshmi Singh, Adv. Mr. Sunil Saraogi, Adv. Mr. Varun Singh, Adv. Mr. Narendra Kumar, AOR Mr. Ajay Bansal, Adv. Mr. Gaurav Yadav, Adv. Ms. Veena Bansal, Adv. Mr. Sibho Shankar Mishra, AOR Mr. Niranjana Sahu, Adv. Ms. Debabrata Dash, Adv. Ms. Kanika Chug, Adv. Mr. Avijit Mani Tripathi, AOR Mr. Upendra Mishra, Adv. Mr. T. K. Nayak, Adv. Mr. P. S. Negi, Adv. Mr. Shaurya Sahay, Adv. Mr. Marbiang Khongwik, Adv.

ORDER

1 Mr K M Nataraj, Additional Solicitor General, has submitted a note titled "Consolidated Note for issues raised in the matter of Imtiyaz Ahmad v State of Uttar Pradesh".

2 The Additional Solicitor General has dwelt on various aspects which have been raised in the note.

3 In order to facilitate further progress in the hearing of the present case, we direct that a copy of the above note be circulated in a soft form to the Registrars General of all

the High Courts as well as to the Law Secretaries to all the State Governments. Since the note contains specific statements in relation to the position of infrastructure and availability of judicial officers in the States/Union Territories, we direct the Registrars General to respond to the note which has been submitted by the Additional Solicitor General insofar as it pertains to the infrastructure and strength of Judges in each of the respective States or, as the case may be, the Union Territories. This exercise shall be completed by the Registrars General of the High Courts within a period of four weeks from the date of the receipt of the note.

4 The Law Secretaries to the State Governments shall also submit their responses on affidavit specifically clarifying for the financial years 2017-18 to 2021-22 :

(i) The extent of funds which have been made available to the State under Centrally Sponsored Schemes;

(ii) The amount which has been disbursed by the State Government for the State and District judiciary;

(iii) The amount which remains to be provided to the State and District Judiciary or was diverted for other projects; and

(iv) details of the utilization certificates.

5 The aforesaid exercise shall also be completed within a period of four weeks by the Law Secretaries to the State Governments and the affidavits shall be placed on the record.

6 We, thereafter, propose to hear Ms Vibha Datta Makhija, the Additional Solicitor General as well as the counsel appearing on behalf of each of the High Courts so that State-wise position may emerge before the Court.

7 Copies of the note shall also be made available to all the counsel who have entered appearance on behalf of the High Courts.

8 List the Miscellaneous Application on 6 September 2022.

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