

ITEM NO.24

COURT NO.12

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

Miscellaneous Application No. 647/2022 in W.P.(C) No. 539/2021

(Arising out of impugned final judgment and order dated 30-06-2021 in W.P.(C) No. No. 539/2021 passed by the Supreme Court Of India)

GAURAV KUMAR BANSAL

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(FOR ADMISSION and IA No.46311/2022-INTERVENTION/IMPLEADMENT and IA No.46313/2022-APPROPRIATE ORDERS/DIRECTIONS and IA No.46308/2022-APPLICATION FOR PERMISSION and IA No.50311/2022-APPLICATION FOR PERMISSION)

Date : 13-04-2022 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE M.R. SHAH
HON'BLE MRS. JUSTICE B.V. NAGARATHNA

For Petitioner(s) Ms. Shomila Bakshi, AOR
Mr. Gaurav Kumar Bansal, Adv.
Ms. Nandita Bansal, Adv.

For Respondent(S) Mr. Tushar Mehta, S.G.
Mr. K.M. Nataraja, ASG
Ms. Aishwarya Bhati, ASG
Mr. Rajat Nair, Adv.
Mr. Amit Sharma (B), Adv
Mr. Sughosh Subramanyam, Adv.
Ms. Preeti Rani, Adv.
Mr. G.S. Makker, AOR
Mr. Manish, Adv.
Mr. Arvind Kr. Sharma, AOR

Ms. Aishwarya Bhati, ASG
Mr. Aman Sharma, Adv.

Mr. Anil Grover Sr. AAG Haryana
Dr. Monika Gusain, AOR
Ms. Noopur Singhal Adv.
Mr. Rahul Khurana, Adv.
Mr. Satish Kumar Adv.
Mr. Sanjay Kumar Visen, AOR
Mr. Navin Gupta Adv.

Mr. K Enatole Sema, Adv.
Mr. Amit Kumar Singh, Adv.
Mr. ChubalemlaChang, Adv.

Mr. Chirag M. Shroff, AOR
Mr. Amandeep Mehta, Adv.

Ms. Prachi Mishra, AAG(State of Chhattisgarh)
Mr. Mahesh Kumar, Standing Counsel
Ms. Devika Khanna, Adv.
Mr. N. D. Khanna, Adv.
Mr. Tushar Singh, Adv.
Mr. Chaitanya, Adv.
M/s VMZ Chambers, AOR

UPON hearing the counsel the Court made the following

O R D E R

The grievance which is voiced in the present application is that the State of Andhra Pradesh has diverted and transferred the funds from State Disaster Response Fund (SDRF) to Personal Deposit Account which is not permissible at all under the provisions of Disaster Management Act, 2005. Even, the same can be said to be contrary to the Appropriation Act. From the material on record even the Ministry of State for Finance, Government of India has also objected to the same and has directed that the corrective actions are to be taken by the State Government.

Issue notice only to the State of Andhra Pradesh, returnable on 28th April, 2022. Dasti, in addition, is permitted.

In addition, service on the Standing counsel of the State is also permitted.

Mr. Arvind Kr. Sharma, learned counsel accepts notice on behalf of the Union of India.

In the meantime, the State of Andhra Pradesh is hereby restrained from transferring the funds from SDRF to Personal Deposit Account and if already transferred, the same shall not be

utilized for the purposes other than provided under the Disaster Management Act, 2005.

(NEETU SACHDEVA)
COURT MASTER (SH)

(NISHA TRIPATHI)
BRANCH OFFICER