

ITEM NO.15

Court 1 (Video Conferencing)

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.1422/2019

KARUNAKAR MAHALIK

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(IA No. 136154/2020 - EXEMPTION FROM FILING O.T. & IA No.185316/2019 - EXEMPTION FROM FILING O.T.)

WITH

SMW(Cr1) No. 2/2021 (PIL-W)

(IA No. 93461/2021 - EXEMPTION FROM FILING AFFIDAVIT, IA No.93464/2021 - EXEMPTION FROM FILING O.T., IA No. 93387/2021 - INTERVENTION APPLICATION, IA No. 97034/2021 - INTERVENTION/IMPLEADMENT)

W.P.(C) No. 867/2021 (PIL-W)

(FOR ADMISSION and IA No.94257/2021-PERMISSION TO APPEAR AND ARGUE IN PERSON)

Date : 17-08-2021 These matters were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE SURYA KANT

HON'BLE MR. JUSTICE ANIRUDDHA BOSE

For Petitioner(s)

Mr. Rakesh Kumar Khanna, Sr. Adv.

Mr. Durga Dutt, AOR

Mr. Rohit Priyadarshi, Adv.

Mr. Upendra Mishra, Adv.

Mr. Rajesh Rai, Adv.

Dr. Gajendra Prasad Singh, Adv.

Mrs. Nitu Kumari, Adv.

Mr. Priyanshu Upadhyay, Adv.

Mr. Kousik Ghosh, Adv.

Petitioner-in-person

By Courts Motion

For Respondent(s)

For UOI Mr. Tushar Mehta, SG
Mr. K.M. Nataraj, ASG
Mr. R. Bala, Sr. Adv.
Mr. D.N. Goburdhan, Adv.
Ms. Shraddha Deshmukh, Adv.
Mr. Rajat Nair, Adv.
Ms. Suhashini Sen, Adv.
Mr. Sidhant Kohli, Adv.
Mr. Kanu Agrawal, Adv.
Mr. Ankur Talwar, Adv.
Mr. B. V. Balaram Das, AOR
Mr. Arvind Kumar Sharma, AOR

For B.C.I. Mr. Manan Kumar Mishra, Sr. Adv.
Mr. S. N. Bhat, AOR

For SCI through Secretary General Mr. Prashant Singh, AOR

For State of Arunachal Pradesh Mr. Abhimanyu Tewari, AOR
Ms. Eliza Bar, Adv.

For State of Tamil Nadu Dr. Joseph Aristotle S., AOR
Ms. Preeti Singh, Adv.
Ms. Ripul Swati Kumari, Adv.

For States of Assam & Tripura Mr. Devajit Lon Saikia, AG, Assam
Mr. Nalin Kohli, Sr. AAG, Assam
Mr. Shuvodeep Roy, AOR
Mr. Kabir Shankar Bose, Adv.

For State of Bihar Mr. Abhinav Mukerji, AOR

For State of Goa Mr. Subodh S. Patil, AOR

For State of Gujarat Ms. Deepanwita Priyanka, Adv.
Mr. Aniruddha P. Mayee, AOR

For State of Haryana Mr. Anil Grover, Sr.AAG
Mr. Sanjay Kumar Visen, AOR
Ms. Noopur Singhal, Adv.
Mr. Rahul Khurana, Adv.
Mr. Satish Kumar, Adv.
Mr. Amit Sahni, Adv.

For State of Karnataka Mr. V. N. Raghupathy, AOR
Mr. Md. Apzal Ansari, Adv.

For State of Kerala Mr. G. Prakash, AOR
Ms. Priyanka Prakash, Adv.
Ms. Beena Prakash, Adv.

For State of MP Mr. Mrinal Gopal Elker, AOR

For State of Manipur Mr. Pukhrambam Ramesh Kumar, AOR
Ms. Anupama Ngangom, Adv.
Mr. Karun Sharma, Adv.

For State of Meghalaya Mr. Amit Kumar, AG
Mr. Avijit Mani Tripathi, AOR
Mr. Shaurya Sahay, Adv.
Mr. T.K. Nayak, Adv.

For State of Mizoram Mr. Siddhesh Kotwal, Adv.
Ms. Ana Upadhyay, Adv.
Ms. Manya Hasija, Adv.
Mr. Nirnimesh Dube, AOR

For State of Nagaland Ms. K. Enatoli Sema, AOR
Mr. Amit Kr. Singh, Adv.
Ms. Chubalemla Chang, Adv.

For State of Odisha Mr. Som Raj Choudhury, AOR

For State of Punjab Mr. Atul Nanda, AG
Ms. Uttara Babbar, AOR
Mr. Manan Bansal, Adv.

For State of Rajasthan Dr. Manish Singhvi, Sr. Adv.
Mr. Sandeep Kumar Jha, AOR

For State of Sikkim Mr. Narendra Kumar, AOR
Mr. Raghvendra Kumar, Adv.
Mr. Anand Kumar Dubey, Adv.
Mr. Nishant Verma, Adv.

For State of Telangana Mr. S. Udaya Kumar Sagar, AOR
Ms. Sweena Nair, Adv.

For State of UP Ms. Garima Prasad, AAG
Mr. Pradeep Misra, Adv.
Mr. Suraj Singh, Adv.
Mr. Manoj Kr. Sharma, Adv.
Mr. Bhuwan Chandra, Adv.

Ms. Ruchira Goel, AOR

For State of Uttarakhand Mr. Ankur Prakash, AOR
Mr. Ashutosh Kumar Sharma, Adv.

For Impleader Dr. Sushil Balwada, AOR
Mr. Sandiv Kalia, Adv.
Ms. Reena Rao, Adv.
Mr. Satbir Singh Pillania, Adv.
Mr. Upendra Narayan Mishra, Adv.

For Intervenor Mr. Anand S. Jondhale, Adv.
Mr. Abdul Qadir, Adv.
Mr. Sunil Prem Lalla, Adv.
Ms. Yashoda Jondhale, Adv.
Mr. Atiqur Rahman Siddiqui, Adv.
Mr. Gulfeshan Javed, Adv.
Mr. Satish Pandey, AOR

For Impleader Mr. Arvind Kumar Sharma, AOR

For Intervenor Mr. V. K. Biju, AOR
Mr. Amlendu Kumar Akhilesh Kumar Jha, Adv.
Mr. Shaji George, Adv.

For State of Jharkhand Mr. Rajiv Ranjan, AG
Mr. Arunabh Chowdhury, AAG
Mr. Krishnaraj Thaker, AAG
Ms. Pragya Baghel, Adv.
Ms. Pallavi Langar, AOR
Mr. Kumar Anurag Singh, Adv.

For State of Andhra Pradesh Mr. Mahfooz A. Nazki, AOR (Not Present)

For Intervenor (All India Judges Association) Ms. Mayuri Raghuvanshi, AOR
Mr. Vyom Raghuvanshi, Adv.
Ms. Purvat Wali, Adv.

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

The Court is convened through Video Conferencing.

Heard Mr. Tushar Mehta, learned Solicitor General appearing for the Union of India and learned counsel appearing for the States.

Learned Solicitor General has drawn our attention to the counter affidavit filed by the Union of India on 14-9-2020.

During the course of hearing, learned counsel appearing for the States of Manipur, Jharkhand & Gujarat state that they have filed their respective Counter Affidavits yesterday.

Learned counsel appearing for the State of Kerala prays for and is granted 10 days' time from today to file counter affidavit, subject to the condition that the said State shall pay costs of Rs.1,00,000/- to be deposited with the Supreme Court Bar Association Advocates' Welfare Fund.

The remaining States which have not filed their counter affidavits so far shall also file the same within a period of 10 days from today, subject to deposit of costs of Rs.1,00,000/- with the Supreme Court Bar Association Advocates' Welfare Fund, failing which we would be compelled to seek the presence of the Chief Secretaries of the concerned States.

Mr. Manan Kumar Mishra, learned Senior counsel appearing for the Bar Council of India is also permitted to file affidavit and suggestions on this issue and one week's time is granted for the said purpose.

List the matters after 10 days.

(VISHAL ANAND)
ASTT. REGISTRAR-cum-PS

(R.S. NARAYANAN)
COURT MASTER (NSH)