

ITEM NO.1+2+3+4+5 Court 7 (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(s)(Civil) No(s).857/2016

IN RE: APPOINTMENT OF JUDICIAL MEMBERS IN THE
ARMED FORCES TRIBUNAL

Petitioner(s)

VERSUS

MINISTRY OF DEFENCE & ANR.

Respondent(s)

(with applns. for clarification/direction and intervention
application)

WITH

M.A. No.1058/2020 in W.P.(C) No.640/2017

(with applns. for clarification/direction and exemption from
filing affidavit

MA 1152/2020 in W.P.(C) No.279/2017

(with applns. for clarification/direction, exemption from filing
affidavit, intervention application and permission to file
additional documents/facts/annexures)

W.P.(C) No.867/2020

(with applns. for clarification/direction and exemption from
filing affidavit

W.P.(C) No.1431/2019

(with appln. for appropriate orders/directions)

T.P.(C) Nos.905-915/2020

(with appln. for ex-parte stay)

SLP(C) Nos.9587-9588/2020 (XII)

Diary No.18900/2020 (XVI-A)

(with applns. for ex-parte stay and permission to file petition)

W.P.(Civil) No.804/2020

(with appln. for stay)

SLP (C) No.9593/2020

SLP(C) NO.8446/2020

(with appln. for permission to file lengthy list of dates)

M.A. No.1481/2020 in W.P.(C)No.279/2017

(with applns. for permission, appropriate orders/directions,

exemption from filing affidavit, intervention/impleadment and permission to file additional documents/facts/annexures)

Date : 16-09-2020 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE L. NAGESWARA RAO
HON'BLE MR. JUSTICE HEMANT GUPTA
HON'BLE MR. JUSTICE S. RAVINDRA BHAT

By Courts Motion, AOR

For the parties :

Mr. K. K. Venugopal, AG
Mr. Tushar Mehta, SG
Mr. Suryaprakash V. Raju, ASG
Mr. Balbir Singh ASG
Mr. R. Balasubramanian, Sr. Adv.
Mr. Rajat Nair, Adv.
Mr. Zoheb Hossain, Adv.
Ms. Shraddha Deshmukh, Adv.
Mr. Chinmayee Chandra, Adv.
Mr. Manan Popli, Adv.
Mr. A. K. Sharma, AOR
Ms. Anil Katiyar, AOR
Mr. B.K.Prasad, AOR

Ms. Madhavi Divan, ASG
Mr. Ayush Puri, Adv.
Ms. Alka Agarwal, Adv.
Mr. Raj Bahadur Yadav, Adv.

Mr. Arvind Datar, Sr. Adv.
Mr. Krishnakumar R.S., Adv.
Mr. R.K. Srivastav, Adv.
Mr. Rajesh Kumar, AOR
Mr. Rahul Unnikrishnan, Adv
Mr. T.V.S. Raghavendra Sreyas, AOR
Mr. Naveen Hegde Adv
Mr. N Sai Vinod, Adv
Mr. Hemant Singh, Adv.
Ms. Mamta R. Jha, Adv.
Mr. Waseem Shuaib Ahmed, Adv.
Mr. Sambhav Jain, Adv.
Mr. Mohit D. Ram, AOR

Mr. Sidharth Luthra, Sr. Adv.
Ms. Sakshi Kakkar (AOR)
Mr. Shakti Singh Adv.
Mr. Ayush Kaushik, Adv.
Ms. Ankita Tiwari, Adv.

Mr. Mukul Rohatgi, Sr. Adv.
Mr. Saurab Kripal, Adv.
Mr. Rupesh Kumar, Adv
Mr. Rajeev Sharma, Adv
Ms. Neelam Sharma, Adv
Ms. Pankhuri Shrivastava, Adv
Mr. Alekshendra Sharma, Adv

Mr. Guru Krishnakumar, Sr.Adv.
Mr. M.S. Bharat, Adv
Mr. Madhan Babu, Adv
Mr. A. Prasanna Venkat, Adv
Mr. Deepayan Mandal, AOR
Mr. Arindam Ghosh , Adv

Mr. P. S.Narasimha, Sr. Adv.
Mr. J. Sai Deepak, Adv.
Mr. Guruswamy Nataraj, Adv.
Ms. Pooja Dhar, Adv.
Mr. Avinash K. Sharma, Adv.
Mr V.Chitambaresh, Sr. Adv
Mr. Lakshmeesh S. Kamath, AOR
Mr. C.Govind Venugopal, Adv.

Mr. C.A. Sundaram, Sr.Adv.
Ms. Priya Hingorani, Sr.Adv.
Ms. A.K. Behera, Adv.
Mr. V.K. Verma, AOR
Mr. Zafar Inayat,Adv.
Ms. Rohini Musa,Adv.
Mr. Abhishek Gupta,Adv

Mr. A.S. Chandhiok, Sr Adv.
Mr. Satyajit A. Desai, Adv.
Mr. Vipul Ganda, Adv.
Mr. Satya Kam Sharma, Adv.
Ms. Anagha S. Desai, AOR
Ms. Aastha Trivedi,Adv.
Ms. Guresha Bhambra,Adv.

Mr. C.S. Vaidyanathan, Sr. Adv.
Mr. Sameer, AOR
Mr. Nalin Talwar, Adv
Mr. Amish Tandon, Adv
Mr. Ayush Beotra, Adv
Mr. Varun Tandon, Adv
Ms. Megha Choubey, Adv.

Mr. Gautam Misra, Sr.Adv.

Mr. M.S. Ganesh, Sr. Adv.
Ms. Rukhsana Choudhury, Adv.
Mr. Seshachary Komanduri, Adv.

Mr. Chittarvu Nageswara Rao, Sr. Adv.
Ms. Divya Garg, Adv.
Mr. Sonal Jain, AOR

Mr. Rakesh Kumar Khanna, Sr. Adv.
Mr. Himanshu Mehra, Adv
Mr. Anurag, AOR

Mr. Sanjeev Bhandari, Adv.
Mr. Amit Dhalli, Adv.
Mr. I.P. Singh, Adv.
Mr. Sushant Bali, Adv.
Ms. Spriha Bhandari, Adv.
Mr. Viresh B. Saharya, AOR
Mr. Akshat Agarwal, Adv.

Mr. Lakshmeesh S. Kamath, AOR
Mr. Raj Bahadur Yadav, AOR

Mr. Surya Prakash, Adv.
Ms. Sindoor, Adv.
For M/S KMNP LAW, AOR

Ms. Giffara S, Adv.
Mr. Bilal Niamathulla, Adv.
Ms. Ruxana PN, Adv.
Mr. P A Noor Muhamed, Adv.

Ms. Nidhi Jaswal, AOR
Mr. Rohit Dhyani, Adv.

Mr. Sriram Parakkat AOR
Mr. MS Vishnu Shankar, Adv
Mr. Sarath Janardhanan, Adv.

Mr. Piyush Sharma, AOR
Mr. Rajeev Manglik, Adv
Mr. A.K.Trivedi Adv

Mr. Ajay Bansal, Adv.
Mr. Kuldip singh, Adv.
Mr. Gaurav Yadav, Adv.
Ms. Veena Bansal, Adv.

Mr. Mohan Kumar, AOR
Ms. Archana Pathak Dave, AOR

Mr. T.V. George, AOR
Mr. Kawaljit Singh Bhatia, AOR
Ms. Diksha Rai, AOR

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

Writ Petition(s)(Civil) No(s).857/2016:

De-tag.

I.A. No.73597/2020 in W.P.(C) No.1431 of 2019.

This I.A. is filed for extension of the term of the incumbent Chairperson of the Intellectual Property Appellate Board ('IPAB') beyond 21st September, 2020. Mr. Justice Manmohan Singh was appointed as Chairperson of the IPAB on 01.01.2018. This Court directed that Mr. Justice Manmohan Singh shall be allowed to continue as Chairperson of the IPAB for a period of one year from the date of his attaining the age of superannuation. As the term of his appointment in accordance with the order of this Court is expiring on 21st September, 2020, extension is sought for his continuance on the ground that he is entitled to continue till 01.01.2022 as per the Rules of 2020.

As the matters pertaining to the validity of the Rules 2020 are being heard finally, we extend the term of Justice Manmohan Singh as Chairperson of the Intellectual Property Appellate Board ('IPAB') for a period of three months from today.

Interlocutory Application stands disposed of.

SLP (C) No.9593/2020 and SLP(C)No.8446/2020:

Issue notice returnable on 15.10.2020.

There shall be stay of impugned judgment and order of the High Court in the meanwhile.

De-tag from rest of the matters.

REST OF THE MATTERS:

List on 23.09.2020 as part-heard.

(Geeta Ahuja)
Court Master

(Anand Prakash)
Branch Officer