

ITEM NO.7 Court 4 (Video Conferencing) SECTION X

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). 600/2020

MAULANA ALA HADRAMI & ORS. Petitioner(s)

VERSUS

UNION OF INDIA & ANR. Respondent(s)

(IA No. 58426/2020 - INTERVENTION/IMPLEADMENT)

WITH

W.P. (C) No. 604/2020 (X)

(FOR

FOR impleading party ON IA 68528/2020

FOR INTERVENTION/IMPLEADMENT ON IA 68528/2020

IA No. 68528/2020 - INTERVENTION/IMPLEADMENT)

W.P. (C) No. 603/2020 (X)

(FOR ADMISSION)

W.P. (C) No. 605/2020 (X)

(FOR

FOR impleading party ON IA 68558/2020

FOR INTERVENTION/IMPLEADMENT ON IA 68558/2020

IA No. 68558/2020 - INTERVENTION/IMPLEADMENT)

W.P. (Crl.) No. 295/2020 (X)

(FOR

FOR APPROPRIATE ORDERS/DIRECTIONS ON IA 98863/2020

FOR EXEMPTION FROM FILING O.T. ON IA 98865/2020

IA No. 98863/2020 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 98865/2020 - EXEMPTION FROM FILING O.T.)

Date : 20-11-2020 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.M. KHANWILKAR

HON'BLE MR. JUSTICE B.R. GAVAI

For Petitioner(s)

Dr. Menaka Guruswamy, Sr. Adv.

Mr. Fuzail Ahmad Ayyubi, AOR

Mr. Ibad Mushtaq, Adv.

Ms. Akanksha Rai, Adv.

Mr. Salman Khurshid, Sr. Adv

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Ms. Aadya Mishra, Adv.

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Ms. Ila Sheel, Adv.  
Mr. Ibad Mushtaq, Adv.  
Ms. Akanksha Rai, Adv.

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Mr. Faisal Allam, Adv.

For Respondent(s) Mr. Tushar Mehta, SG  
Mr. K.M. Nataraj, ASG  
Mr. Rajat Nair, Adv.  
Mr. Kanu Agrawal, Adv.  
Mr. B.V. Balaram Das, AOR

Uttar Pradesh Ms. Garima Prashad, AOR

T.Nadu Mr. M. Yogesh Kanna, AOR  
Mr. Raja Rajeshwaran S., Adv.  
Mr. Aditya Chadha, Adv.

M.P. Mr. Arjun Garg, AOR  
Ms. Rati Tandon, Adv.

Assam Mr. Debojit Borkakati, AOR  
Mr. Vivek Sonkar, Adv.  
Mr. Nalin Kohli, AAG

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Karnataka Mr. V.N. Raghupathy, AOR

Haryana Mr. Anil Grover, AAG  
Ms. Noopur Singhal, Adv.  
Mr. Rahul Khurana, Adv.  
Mr. Sanjay Kumar Visen, AOR

Bihar Mr. Manish Kumar, Adv.  
Mr. Gopal Singh, AOR

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Mr. Manish Kumar, AOR  
  
Mr. Abhinav Mukerji, AOR  
Mrs. Bihu Sharma, Adv.  
Ms. Pratishtha Vij, Adv.  
  
Mr. Keshav Mohan, Adv.

	Mr. R.K. Awasthi, Adv. Mr. Prashant Kumar, Adv. Mr. Piyush Vatas, Adv. Ms. Ritu Arora, Adv. Mr. Santosh Kumar-I, AOR
Kerala	Ms. Priyanka Prakash, Adv. Ms. Beena Prakash, Adv. Mr. G.Prakash, AOR
Chhattisgarh	Mr. Pranav Sachdeva, AOR Ms. Neha Rathi, Adv. Mr. Jatin Bhardwaj, Adv.
Goa	Mr. Arun Pedneker, Adv. Mr. Sachin Patil, AOR Mr. Geo Joseph, Adv.
Maharashtra	Mr. Rahul Chitnis, Adv. Mr. Sachin Patil, AOR Mr. Geo Joseph, Adv.
Gujarat	Ms. Deepanwita Priyanka, AOR
Uttarakhand	Mr. Atul Sharma, Adv.
Tripura	Mr. Shuvodeep Roy, AOR Mr. Kabir Shankar Bose, Adv. Mr. Rahul Raj Mishra, Adv.
Mizoram	Ms. Astha Sharma, AOR Mr. Siddhesh Kotwal, Adv. Ms. Ana Upadhyay, Adv.
Manipur	Mr. Pukhrambam Ramesh Kumar, AOR Ms. Anupama Ngangom, Adv. Mr. Karun Sharma, Adv.
Rajasthan	Dr. Manish Singhvi, Sr. Adv. Mr. Sandeep Kumar Jha, Adv.
West Bengal	Mr. Suhaan Mukerji, Adv. Mrs. Liz Mathew, Adv. Mr. Vishal Prasad, Adv. Mr. Nikhil Parikshith, Adv. Mr. Abhishek Manchanda, Adv. Mr. Sayandeep Pahari, Adv. M/s. PLR Chambers & co.
Punjab	Ms. Uttara Babbar, Adv. Ms. Bhavana Duhoon, Adv. Mr. Manan Bansal, Adv.

Arunachal Pradesh	Mr. Abhimanyu Tewari, AOR Ms. Eliza Bar, Adv.
Nagaland	Ms. K. Enatoli Sema, Adv. Mr. Amit Kumar Singh, Adv.
Puducherry	Mr. V.G. Pragasam, Aor Mr. S. Prabhu Ramasubramanian, Adv.  Mr. P. Venkat Reddy, avd. Mr. Prashant Tyagi, Adv.
Telangana	Mr. P. Srinivas Reddy, Adv. M/s. Venkat Palwai Law Associates, AOR

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

Dr. Menaka Guruswamy, learned senior counsel appearing for the petitioners has brought to our notice that the eight petitioners who were discharged by the Trial Court, as of today, are free to leave India and return to their home country as the revision against the discharge order filed by the State stands dismissed on 19.11.2020.

Mr. K.M. Natraj, learned Additional Solicitor General seeks one week's time to take instructions as to whether the State intends to pursue the matter any further or facilitate departure of the petitioners to their home country in light of the order passed by the Revisional Court.

It is also brought to our notice that the criminal cases pertaining to nine petitioners which have been

entrusted to Saket Court are still pending due to unavoidable situation created because of promotion of the Trial Court Judge. New Judge has been nominated to take up those cases.

We hope that the Trial Court will do the needful to ensure that those trials are concluded expeditiously, preferably within six weeks from today as only two witnesses remain to be examined.

Copy of this order be forwarded by the Registry to the concerned Trial Court Judge forthwith for information and necessary action through email/online.

In addition, this order be brought to the notice of the concerned Trial Court by the parties forthwith.

Matters related to State of Uttar Pradesh/Bihar

Ms. Garima Prasad, learned counsel appearing for the State of Uttar Pradesh and Mr. Manish Kumar, learned counsel appearing for the State of Bihar point out that despite the peremptory direction given to the concerned courts taking up the cases pertaining to petitioner(s) in State of Uttar Pradesh and State of Bihar, the cases are pending even where the application for plea bargaining has been filed by the petitioner(s).

List these matters next week.

We hope that in the meantime the concerned courts will ensure early disposal of the cases and, in any case, the application for plea bargaining shall be disposed of before the next date of hearing of these cases, to be listed in the next week.

Copy of this order be forwarded by the Registry to the concerned Trial Court Judge for information and necessary action through email/online.

In addition, this position be brought to the notice of the concerned Trial Court by the parties forthwith.

W.P. (Crl.) No. 295 of 2020

Mr. Shoeb Alam, learned counsel appearing in Writ Petition (Crl.) No. 295 of 2020 submits that the petitioners have already moved the High Court for quashing the criminal case(s). It will be open to the petitioners to request the concerned Court to which the case is already assigned or else the Chief Justice of the High Court, to take up the matter (Cr.W.P. No. 369 of 2020) expeditiously.

We hope and trust that considering the nature of controversy involved, the High Court will give preference

to this matter as larger issue pending before this court  
in the present proceedings can be then proceeded with.

(DEEPAK SINGH)  
COURT MASTER (SH)

(VIDYA NEGI)  
COURT MASTER (NSH)