

ITEM NO.21+2+26+29 Court 1 (Video Conferencing) SECTION PIL-W/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)(Criminal) No(s).314/2021

MANOHAR LAL SHARMA

Petitioner(s)

VERSUS

THE PRIME MINISTER (NARENDER DAMODAR DAS MODI) & ORS. Respondent(s)

(FOR ADMISSION)

WITH

W.P.(C) No.826/2021 (PIL-W)

(FOR ADMISSION and IA No.89751/2021-EXEMPTION FROM FILING AFFIDAVIT)

W.P.(C) No.829/2021 (PIL-W)

(FOR ADMISSION and IA No.89919/2021-EXEMPTION FROM FILING O.T. and IA No.89914/2021-EXEMPTION FROM FILING AFFIDAVIT and IA No.89918/2021-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

W.P.(C) No.855/2021 (PIL-W)

(FOR ADMISSION and IA No.93119/2021-PERMISSION TO APPEAR AND ARGUE IN PERSON)

W.P.(C) No.850/2021 (X)

(FOR ADMISSION and IA No.92975/2021-EXEMPTION FROM FILING AFFIDAVIT)

W.P.(C) No.848/2021 (X)

(FOR ADMISSION and IA No.92894/2021-EXEMPTION FROM FILING AFFIDAVIT)

W.P.(C) No.849/2021 (X)

(FOR ADMISSION and IA No.92902/2021-GRANT OF INTERIM RELIEF.)

W.P.(C) No.853/2021 (X)

(FOR ADMISSION and IA No.93045/2021-EXEMPTION FROM FILING AFFIDAVIT)

W.P.(C) No.851/2021 (PIL-W)

(FOR ADMISSION and IA No.92946/2021-EXEMPTION FROM FILING AFFIDAVIT)

W.P.(C) No.861/2021 (PIL-W)

WP(C)No.890/2021(PIL-W)

(For admission and IA No.97803/2021 - Stay application and IA No.97804/2021- Exemption from filing affidavit)

D.No.18434/2021 (PIL-W)

IA No.96127/2021

Date : 16-08-2021 These petitions 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)

- In WP(C) 826/2021 Mr. Kapil Sibal, Sr. Adv.  
Mr. C.U. Singh, Sr. Adv.  
Mr. Shadan Farasat, AOR  
Mr. Nizam Pasha, Adv.  
Ms. Vidusshi, Adv.  
Mr. Zubin, Adv.  
Mr. Shourya Dasgupta, Adv.  
Mr. Bharat Gupta, Adv.  
Ms. Tanvi Tuhina, Adv.  
Mr. Aman Naqvi, Adv.
- In WP(C)No.849/2021 Mr. Shyam Divan, Sr. Adv.  
Mr. Rahul Narayan, Adv.  
Ms. Samiksha Godiyal, Adv.  
Ms. Ria Singh Sawhney, Adv.  
Ms. Udayaditya Banerjee, Adv.  
Mr. Govind Manoharan, Adv.  
Ms. Sugandha Yadav, Adv.
- In WP© No.829/21 Ms. Meenakshi Arora, Sr. Adv.  
Ms. Resmitha R. Chandran, AOR  
Mr. Biju Joseph, Adv.  
Mr. Hardik Vashisht, Adv.  
Ms. Pooja Rohatgi, Adv.
- In WP(C)850/2021 Mr. Arvind P. Datar, Sr. Adv.  
Mr. Mihir C. Naniwadekar, Adv.  
Mr. Rahul Unnikrishnan, Adv.  
Mr. Abhinav Sekhri, Adv.  
Mr. Rangoli Seth, Adv.  
Mr. Prateek K. Chadha, AOR
- In WP(C)  
No.853/2021 Mr. Rakesh Dwivedi, Sr. Adv.  
Mr. Eklavya Dwivedi, Adv.  
Ms. Vrinda Bhandari, Adv.  
Ms. Monika Dwivedi, Adv.  
Mr. Tanmay Singh, Adv.  
Mr. Prateek K. Chadha, Adv.
- In WP(C)848/21 Mr. Dinesh Dwivedi, Adv.  
Mr. Prateek Dwivedi, Adv.  
Mr. Yash Sinha, Adv.  
Mr. Krishnesh Bapat, Adv.  
Ms. Natasha Maheshwari, Adv.  
Mr. Prateek K. Chadha, AOR
- In WP(C)  
No.851/2021 Mr. Kapil Sibal, Sr. Adv.  
Mr. Lzafeer Ahmad B.F., Adv.  
Ms. Rupali Samuel, Adv.  
Mr. Raghav Tankha, Adv.
- In WP(C)890/21 Mr. Harish Salve, Sr. Adv.  
Mr. Mishra Saurabh, Adv.

In WP(C)861/21 Mr. Manish Tewari, Adv.  
Mr. Abhimanyu Tewari, Adv.  
Mr. Ashray Chopra, Adv.  
Mr. Ankit Jaglan, Adv.  
  
Mr. Vikas Singh, Sr.Adv.  
Mr. Virag Gupta, Adv.  
Mr. Sachin Mittal, Adv.

In WP(CrI.)314/21 Mr. Manohar Lal Sharma, Petitioner-in-person

In WP(C)855/21 Mr. Narendra Mishra, Petitioner-in-person

For Respondent(s) Mr. Tushar Mehta, SG  
Mr. K.M. Nataraj, ASG  
Mr. Kanu Agarwal, Adv.  
Mr. Rajat Nair, Adv.  
Mr. Ankur Talwar, Adv.  
Mr. Arvind Kumar Sharma, AOR  
Mr. Gurmeet Singh Makkar, AOR  
Mr. B.V. Balaram Das, AOR  
Mr. M.K. Maroria, Adv.

For RR No.4 In Mr. Mukul Rohatgi, Sr.Adv.  
IA No.96127/21 in Mr. Tejas Karia, Adv.  
WP(CrI.)No.324/19 Mr. Akhil Anand, Adv.  
Mr. Himanshu Vij, Adv.  
Ms. Akshi Rastogi, Adv.

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

The Court is convened through Video Conferencing.

WP(CrI.)No.314 of 2021

Heard Mr. Manohar Lal Sharma, the petitioner-in-person.

As per Office Report dated 09.08.2021, Mr. Manohar Lal Sharma has on 07.08.2021 filed an application for permission to allow Amended Writ Petition along with Amended Memo of Parties and Amended Writ Petition. However, he has not filed affidavit in support of the said application.

The application is allowed and the amended Writ Petition with amended memo of parties are taken on record subject to the condition of filing an affidavit in support thereof.

I.A.No.96127/2021 In D.No.18434/2021

This is an application on behalf of the applicant/petitioner for restoration and listing of Writ Petition (CrI.)No.324/2019.

Having heard Mr. Vikas Singh, learned senior counsel appearing on behalf of the applicant/petitioner and carefully perusing the averments made in the application, we are not inclined to restore the Writ Petition (CrI.)No.324/2019.

The application is, accordingly, dismissed.

However, taking into consideration the submission made by the learned senior counsel, we grant liberty to the petitioner to file a fresh writ petition, if he is so advised.

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WP(CrI.)No.314/2021, WP(C)No.826/2021, WP(C)No.829/2021,  
WP(C)No.855/2021, WP(C)No.850/2021, WP(C)No.848/2021,  
WP(C)No.849/2021, WP(C)No.853/2021, WP(C)No.851/2021,  
WP(C)No.861/2021 and WP(C)No.890/2021

Heard Mr.Kapil Sibal, learned senior counsel for the petitioners in WP(C)No.826/2021 and WP(C)No.851/2021, Mr. Shyam Divan, learned senior counsel for the petitioner in WP(C)No.849/2021, Ms. Meenakshi Arora, learned senior counsel for the petitioner in WP(C)No.829/2021, Mr. Rakesh Dwivedi, learned senior counsel for the petitioners in WP(C)No.853/2021, Mr. Dinesh Diwedi, learned senior counsel for the petitioner in WP(C)No.848/2021, Mr. Manohar Lal Sharma and Mr. Narendra Mishra, the petitioners-in-person in WP(CrI.)No.314/2021 and WP(C)No.855/2021 respectively, Mr. Mukul Rohatgi, learned senior counsel appearing on behalf of R.No.4 in IA No.96127/21 in WP(CrI.)No.324/2019 and Mr. Tushar Mehta, learned Solicitor General appearing on behalf of the Union of India at a considerable length. Arguments are inconclusive.

Today, Mr. Tushar Mehta, learned Solicitor General has placed before us a Limited Affidavit dated 16.08.2021 filed by the Additional Secretary, Ministry of Electronics and Information Technology, Union of India.

**We have perused the said Affidavit.**

**For further consideration and further arguments, list the matter on 17.08.2021.**

**(SATISH KUMAR YADAV)  
DEPUTY REGISTRAR**

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