

ITEM NO.1

COURT NO.6

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

SUO MOTO WRIT PETITION (CIVIL) NO.2/2021

In RE: Inaction of the Governments in appointing
President and Members/Staff of Districts and State
Consumer Disputes Redressal Commission and inadequate
infrastructure across India Petitioner(s)

VERSUS

Union of India & ORS. Respondent(s)

(MR. GOPAL SANKARANARAYANAN, LEARNED SENIOR ADVOCATE ALONGWITH MR.
ADITYA NARAIN, LEARNED ADVOCATE ARE AMICUS IN THE INSTANT MATTER.
[FOR APPROPRIATE DIRECTIONS])

I.A.No.82707/2021-CONDONATION OF DELAY IN FILING an affidavit

I.A.No.92050/2021-INTERVENTION APPLICATION
I.A.No.26636/2021-INTERVENTION/IMPLEADMENT
I.A.No.143218/2021- INTERVENTION APPLICATION
I.A.No.110660/2021-INTERVENTION/IMPLEADMENT
I.A.No.142572/2021-INTERVENTION/IMPLEADMENT
I.A.No.137596/2021-INTERVENTION APPLICATION
I.A.No.133189/2021-INTERVENTION APPLICATION

I.A.No.92053/2021-PERMISSION TO APPEAR AND ARGUE IN PERSON

I.A.No.109375/2021-APPLICATION FOR PERMISSION

I.A.No.142925/2021- EXEMPTION FROM FILING AFFIDAVIT
I.A.No.52176/2021-EXEMPTION FROM FILING AFFIDAVIT
I.A.No.52322/2021-EXEMPTION FROM FILING AFFIDAVIT
I.A.No.52384/2021-EXEMPTION FROM FILING AFFIDAVIT
I.A.No.52395/2021-EXEMPTION FROM FILING AFFIDAVIT
I.A.No.52412/2021-EXEMPTION FROM FILING AFFIDAVIT
I.A.No.52546/2021-EXEMPTION FROM FILING AFFIDAVIT
I.A.No.60261/2021-EXEMPTION FROM FILING AFFIDAVIT
I.A.No.60587/2021-EXEMPTION FROM FILING AFFIDAVIT
I.A.No.70921/2021-EXEMPTION FROM FILING AFFIDAVIT

I.A.No.92052/2021-APPROPRIATE ORDERS/DIRECTIONS
I.A.No.133193/2021-APPROPRIATE ORDERS/DIRECTIONS
I.A.No.143221/2021-APPROPRIATE ORDERS/DIRECTIONS

I.A.No.71195/2021-EXEMPTION FROM FILING O.T.
I.A.No.32189/2021-EXEMPTION FROM FILING O.T.
I.A.No.52410/2021-EXEMPTION FROM FILING O.T.

I.A.No.52422/2021-EXEMPTION FROM FILING O.T.
I.A.No.58030/2021-EXEMPTION FROM FILING O.T.
I.A.No.60260/2021-EXEMPTION FROM FILING O.T.
I.A.No.82657/2021-EXEMPTION FROM FILING O.T.
I.A.No.133839/2021-EXEMPTION FROM FILING O.T.
I.A.No.135597/2021-EXEMPTION FROM FILING O.T.
I.A.No.142715/2021-EXEMPTION FROM FILING O.T.
I.A.No.143153/2021-EXEMPTION FROM FILING O.T.
I.A.No.143222/2021-EXEMPTION FROM FILING O.T.
I.A.No.143943/2021-EXEMPTION FROM FILING O.T.

Date : 10-11-2021 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
HON'BLE MR. JUSTICE M.M. SUNDRESH

Mr. Gopal Sankaranarayanan, Sr. Adv.(AC)

Mr. Aditya Narain, Adv. (AC)
Mr. Arnav Narain, AOR
Ms. Anushree Narain, Adv.
Mr. Arjun Jain, Adv.
Mr. Mishra Raj Shekhar, Adv.

For Petitioner(s) Mr. Omprakash Ajitsingh Parihar, AOR
Mr. Dushyant Tiwari, Adv.
Mr. Yudhvir Dalal, Adv.
Mr. Apurv S., Adv.

Mr. Gopal Sankarnarayan, Sr. Adv.
Mr. Aditya Narain, Adv.
Ms. Prerna Priyadarshini, AOR
Mr. Priyashree Sharma P.H., Adv.
Mr. Shrutanjaya Bhardwaj, Adv.
Ms. Rushali Agarwal, Adv.

For Respondent(s) Mr. Aman Lekhi, Ld. ASG.
Ms. Neetu Kedar Gokhale, Adv.
Ms. Swarupama Chaturvedi, Adv.
Mr. B. K. Satija, Adv.
Ms. Shraddha Deshmukh, Adv.
Mr. Chanmayee Chandra, Adv.
Mr. Ankur Talwar, Adv.
Mr. Amrish Kumar, AOR
Ms. Neela Gokhale, Adv.
Mr. Kushal Choudhary, Adv.

Mr. Chirag M. Shroff, AOR

Mr. S.R. Singh, sr. Adv.
Mr. Ankur Prakash, AOR

Mr. Rahul Chitnis, Adv.
Mr. Sachin Patil, AOR
Mr. Aaditya A. Pande, Adv.
Mr. Geo Joseph, Adv.

Mr. Gurinder Singh Gill, Sr. Adv.
Mr. P. P. Nayak, Adv.
Mr. Kuldeep Singh Kuchaliya, Adv.
Ms. Aashna Gill, Adv.
Mr. Pratap Singh Gill, Adv.
Ms. Bhupinder, Adv.
Ms. Vandana Hooda, Adv.
Mr. Ajay Pal, AOR

Ms. Taruna Ardhendumauli Prasad, AOR
Mr. Parth Awasthi, Adv.
Ms. Deepika Gupta, Adv.

Mr. Mahfooz Ahsan Nazki, AOR
Mr. Polanki Gowtham, Adv.
Mr. Shaik Mohamad Haneef, Adv.
Mr. T. Vijaya Bhaskar Reddy, Adv.
Mr. K.V. Girish Chowdary, Adv.

Mr. Abhimanyu Tewari, AOR
Ms. Eliza Bar, Adv.

Mr. Manish Kumar, AOR

Mr. S.C. Verma, Sr. Adv./Adv. Gen.
Mr. Sumeer Sodhi, AOR
Mr. Anvit Seemansh, Adv.
Mr. Arjun Nanda, Adv.

Mr. Surjendu Sankar Das, AOR

Ms. Deepanwita Priyanka, AOR
Ms. Vishakha, Adv.

Mr. Vikas Mahajan, Sr. Adv./AAG
Mr. Anil Kumar, Adv.
Mr. Arun Singh, Adv.
Mr. Vinod Sharma, AOR
Mr. Surinder Singh Mank, Adv.
Mr. Parijat Som, Adv.
Mr. Prahlad Narayan Singh, Adv.
Mr. Arvind Kumar, Adv.

Mr. Arunabh Chowdhary, AAG
Ms. Pallavi Langar, AOR
Mr. Abhishek Roy, Adv.
Ms. Pragya Baghel, Adv.

Mr. Shubhranshu Padhi, AOR

Mr. G. Prakash, AOR
Ms. Priyanka Prakash, Adv.
Ms. Beena Prakash, Adv.
Mr. Manan Sanghai, Adv.

Mr. Mrinal Gopal Elker, AOR

Mr. Pukhrambam Ramesh Kumar, AOR
Mr. Karun Sharma, Adv.

Ms. Upendra Mishra, Adv.
Mr. P. S. Negi, Adv.
Mr. Avijit Mani Tripathi, AOR
Mr. Kynpham V. Kharlyngdoh, Adv.
Mr. Daniel Lynedoh, Adv.
Mr. T. K. Nayak, Adv.

Mr. Siddhesh Kotwal, Adv.
Mr. Nirnimesh Dube, AOR
Ms. Manya Harija, Adv.
Mr. Akash Singh, Adv.

Ms. K. Enatoli Sema, AOR
Ms. Chubalemla Chang, Adv.

Mr. Kiran Kumar Patra, AOR
Mr. Sanjay Kumar, Adv.
Mr. Somesh Ku. Dube, Adv.

Ms. Ranjeeta Rohatgi, AOR

Ms. Uttara Babbar, AOR

Dr. Manish Singhvi, Sr. Adv.
Mr. Arpit Parkash, Adv.
Mr. Sandeep Kumar Jha, AOR

Mr. Vivek Kohli, Ld. Adv. Gen., Sikkim
Mr. Sameer Abhyankar, AOR
Ms. Yeshi Rinchen, Adv.
Mr. Abhinav Mishra, Adv.
Ms. Nishi Sangtani, Adv.

Mr. Amit Anand Tiwari, AAG
Mr. D. Kumanan, AOR
Mr. Sheikh Fakhruddin Kalia, Adv.

Mr. P. Venkat Reddy, Adv.
Mr. Prashant Kr. Tyagi, Adv.
Mr. P. Srinivas Reddy, Adv.
M/S. Venkat Palwai Law Associates, AOR

Mr. Shuvodeep Roy, AOR
Mr. Kabir Shankar Bose, Adv.
Mr. Ishaan Borthakur, Adv.

Mr. Kamlendra Mishra, AOR

Mr. Anil Grover, AAG
Mr. Noopur Singhal, Adv.
Ms. Diksha Rai, AOR
Mr. Rahul Khurana, Adv.
Mr. Satish Kumar, Adv.
Mr. Sanjay Kumar Visen, AOR
Mrs. Babita Mishra, Adv.
Ms. Ragini Pandey, Adv.
Mr. Neeraj Bhardwaj, Adv.

Mr. Suhaan Mukerji, Adv.
Mr. Vishal prasad, Adv.
Mr. Nikhil Parikshith, Adv.
Mr. Abhishek Manchanda, Adv.
Mr. Sayandeep Pahari, Adv.
For M/S. PLR Chambers And Co., AOR

Mr. Mrinal K. Monda, Adv.
Ms. G. Indira, AOR
Ms. N. P. Haibila, Adv.
Mr. K. V. Jagdishvaran, Adv.

Mr. Aravindh S., AOR

Mr. Piyush Dwivedi, AOR

Mr. Shirish Deshpande, Adv.
Mr. Subodh S. Patil, AOR

Mr. R. K. Pandey, Adv.
Mr. Atul Sharma, AOR

Ms. Shirin Khajuria, AOR

Mr. Jose Abraham, AOR
Mr. M. P. Srivignesh, Adv.
Ms. Anju Joseph, Adv.

Mr. Pravartak Pathak, Adv.
Dr. Uday Warunjikar, Adv.
Mr. Shankey Agrawal, AOR

Ms. Astha Sharma, AOR

Applicant-in-person

Mr. Saurabh Mishra, AAG
Mr. Gopal Jha, AOR
Mr. Shreyash Bhardwaj, Adv.
Mr. Nishant Verma, Adv.

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

Applications seeking exemption from filing O.T. and affidavit are allowed.

In the Order dated 22.10.2021 we had mentioned about the representation received from the members of the State Consumer Disputes Redressal Commission, U.P. It appears that the same was separately also received in the Registry of the Court and as per directions of Hon'ble the Chief Justice of India the same has been treated as a Writ Petition under Article 32 of the Constitution of India registered as Writ Petition (C) No.1144 of 2021. Thus, this issue shall not form a part of the present proceeding and would be determined in those proceedings by the appropriate Bench.

I.A. No.142572/2021- Intervention/Impleadment

The application raises the issue of the pendency of the matters and disposal before the Consumer Forum in the State of Kerala seeking an impleadment. We are concerned with the process of appointment all over the country in different states as well as the infrastructure. We are assisted by the Amicus Curiae. We do not feel the need of any other intervention in this petition.

Application stands dismissed.

I.A.No.137596/2021 seeking intervention also stands dismissed.

All other applications for impleadment/intervention relating to pay-scales and emoluments to be listed along with WP (C)

No.1144/2021.

SUO MOTO WRIT PETITION (CIVIL) NO.2/2021

Learned Amicus Curiae informs us that there are two google forms one for the manpower deployed and the other for the space. Most of the States have sent their responses but despite the peremptory nature of our Order dated 22.10.2021 some of the States have not sent the full information. In this behalf, it is submitted by learned Amicus Curiae that State of Andhra Pradesh, Goa, Kerala, Punjab, Rajasthan, Telangana and Uttar Pradesh have not submitted the information qua Staff, State of Bihar has not submitted qua the infrastructure and States of Gujarat and Tamil Nadu have submitted neither of the two. Insofar as the Union Territories are concerned, similar complaint is made by the Amicus Curiae qua Chandigarh, Dadra & Nagar Haveli and Daman & Diu, Delhi, Lakshadweep, Puducherry and Ladakh.

The learned counsels assures us that the deficiencies will be made up within a week from today. We put the defaulting States on notice that we will take a very serious view of the matter and will impose exemplary costs to be recovered from the Officers concerned for such wastage of judicial time if the needful is not done. The States to verify the same from the Amicus Curiae whether they have received it or not.

On the basis of the information furnished and on analysis of

the same, the Amicus Curiae will give their inputs to the Court within a week thereafter.

Insofar as the selection process is concerned, the States will similarly within one week give their updates to the Amicus Curiae for assistance to the Court.

Learned Amicus Curiae points out that no affidavit in this behalf are available even as on date qua Delhi, Gujarat, Haryana, Lakshadweep, Manipur, Meghalaya, Puducherry and Uttarakhand, the States to do so within this week.

Mr. Aman Lekhi, Additional Solicitor General states that a legislative impact study has been done subsequently in pursuance to the Order of this Court dated 11.8.2021 and has been placed on record by way of an affidavit dated 06.10.2021. It appears that the same has not been shared with the Amicus Curiae. The needful be done accordingly.

We call upon both the Amicus Curiae and Mr. Aman Lekhi, Additional Solicitor General to jointly examine this aspect and assist the Court.

List on 01st December, 2021.

(RASHMI DHYANI)
COURT MASTER

(POONAM VAID)
COURT MASTER