

ITEM NO.5

COURT NO.6

SECTION XVIA

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

TRANSFER CASE (CIVIL) NO.22 OF 2001

BRIJ MOHAN LAL

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(Office report with quarterly report received from High Court and
State Govts for directions in disposed of matter)

WITH

T.C.(C) No.23/2001, SLP(C) No.7870/2001, SLP(C) No.10645/2001
T.P.(C) Nos.407-410/2001

WITH

W.P.(C) No.140/2005

(With application for interim directions)

Date: 20/11/2007 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.B. SINHA

HON'BLE MR. JUSTICE H.S. BEDI

For Petitioner(s)

Mr. P.S. Narasimha,Adv. (A.C.)

Mr. Somiran Sharma,Adv.

Mr. Chander Shekhar Ashri,Adv.

Mr. A.V. Rao,Adv.

Mr. Prabhakar P.,Adv.

Mr. Venkateshwara Rao Anumolu,Adv.

Mr. Rohit Mammen Alex,Adv.

Mr. Rishi Maheshwari,Adv.

Ms. Anne Mathew,Adv.

Mr. P.S. Sudheer,Adv.

Mr. Sanjeev Sachdeva,Adv.

For Respondent(s)

Mr. G.E. Vahanvati, SG

Mr. R. Mohan, ASG

Mrs. Anjani Aiyagari,Adv.

Mr. P. Parmeswaran,Adv.

Mr. D.S. Mahra,Adv.

For High Court of Gujarat

Mr. P.I. Jose,Adv.

2

Ms. Deepti,Adv.

Mr. Anupam Mishra,Adv.

Mr. Raj Kumar Gupta,Adv.

Mr. Sheo Kumar Gupta,Adv.

Mr. Bhanu Pratap Gupta,Adv.

Mr. A.N. Bhardaiyar,Adv.

For State of Haryana Mr. Manjit Singh,Adv.
Mr. T.V. George,Adv.

For State of Maharashtra
and Bombay High Court Mr. S.S. Shinde,Adv.
Mr. A.P. Mayee,Adv.
Mrs. Asha G. Nair,Adv.

For the State of Punjab Mrs. Jayshree Anand,Adv.
Mr. K.K. Mahalik,Adv.
Mr. Ajay Pal,Adv.

For State of Arunachal
Pradesh Mr. Anil Shrivastav,Adv.
Mr. Ritu Raj,Adv.

For State of Goa Ms. A. Subhashini,Adv.

For the State of Kerala Mr. G. Prakash,Adv.
Ms. Beena Prakash,Adv.
Mr. P.K. Jayakrishnan,Adv.

For State of Manipur Mr. KH. Nobin Singh,Adv.
Mr. Tarun Jamwal,Adv.
Mr. S. Biswajit Meitei,Adv.

For A.P. High Court Mr. K. Ram Kumar,Adv.
Mr. B. Sridhar,Adv.
Mr. I. Madhava,Adv.

For High Court of Patna Mr. Sameer Parekh,Adv.
Mr. Ajay K. Jha,Adv.
Ms. Diksha Rai,Adv.
for Parekh & Co.,Advs.

For Calcutta High Court Mr. L. Nageshwara Rao, Sr.Adv.
Mr. Raja Chatterjee,Adv.
Mr. G.S. Chatterjee,Adv.

For State of U.P. Ms. Savitrai Pandey,Adv.
Mr. Sandeep Singh,Adv.
Mr. Anil Kumar Jha,Adv.
Mr. J.M. Rao,Adv.

Dr. Indra Pratap Singh,Adv.
Mr. Pradeep Mishra,Adv.

3

State of Chhattisgarh Ms. Suparna Srivastava,Adv.
Ms. Nidhi Minocha,Adv.
Mr. Rajesh Srivastava,Adv.

State of M.P. Mr. Govind Goel,Adv.
Mr. C.D. Singh,Adv.
Mr. Marusagar Samanta Ray,Adv.
Mr. Vairagya Vardhan,Adv.
Mr. Sunny Chowdhary,Adv.
Mr. Ram Narash Yadav,Adv.

Mr. Vikas Upadhyay,Adv.
Mr. B.S. Banthia,Adv.

For State of Rajasthan Mr. Aruneshwar Gupta,Addl. Adv. Genl.
Mr. Naveen Kumar Singh,Adv.
Mr. Shashwat Gupta,Adv.

For Orissa High Court Mr. Janaranjan Das,Adv.

Mr. Swetaketu Mishra,Adv.

For State of Mizoram Mr. K.N. Madhusoodhanan,Adv.
Mr. R. Satish,Adv.

For State of H.P. Mr. J.S. Attri,Adv.
Mr. Vivek Singh Attri,Adv.

For U.T. of Chandigarh Ms. Kamini Jaiswal,Adv.
Mr. S. Datta,Adv.

For State of Karnataka Mr. Sanjay R. Hegde,Adv.
Mr. Amit Kr. Chawla,Adv.

For High Court of J & K Mr. Tara Chandra Sharma,Adv.
Mr. Rajeev Sharma,Adv.

For State of West Bengal Mr. Bhaskar P. Gupta, Sr.Adv.
Mr. Tara Chandra Sharma,Adv.
Mr. Krishan Datta,Adv.
Miss Neelam Sharma,Adv.

For Allahabad High Court Mr. Ashok K. Srivastava,Adv.
Mr. Shairwal Srivastava,Adv.
Mr. Indrajeet Das,Adv.
Mr. Saurabh Trivedi,Adv.

For State of Uttarakhand Mr. A.P. Sahay,Adv.
Ms. Rachana Srivastava,Add.Adv.Gen.

For Rajasthan High Court Mr. S. Borthakur,Adv.
Mr. Ajay Bhatia,Adv.
Mr. Aneesh Mittal,Adv.

For State of Tamil Nadu Mr. Subramaniam Prasad,Adv.

4

Mr. R. Gopal Krishan,Adv.

For State of Sikkim & Ms. A. Mariarputham,Adv.
High Court of Sikkim Ms. Aruna Mathur,Adv.
for M/S. Arputham,Aruna & Co.,Advs.

For Govt. of Pondicherry Mr. V.G. Pragasam,Adv.
Mr. S. Joseph Aristotle,Adv.
Mr. S. Prabu Ramasubramanian,Adv.

For State of Nagaland Mr. U. Hazarika,Adv.
Mr. Satya Mitra,Adv.
Ms. Sumita Hazarika,Adv.

For NCT of Delhi Mr. Ashok Bhan,Adv.
Ms. Suita Sharma,Adv.
Mr. R.C. Kathia,Adv.
Ms. Anil Katiyar,Adv.
Mr. D.S. Mahra,Adv.

For State of Assam Mr. Riku Sarma,Adv.
for M/S Corporate Law Group,Advs.

For State of Meghalaya Mr. Ranjan Mukherjee,Adv.
Mr. S.C. Ghosh,Adv.

For State of Tripura Mr. Gopal Singh,Adv.
Mr. Rituraj Biswas,Adv.

For State of Bihar Mr. Gopal Singh,Adv.
Mr. Anukul Raj,Adv.

For State of Gujarat Mrs. Hemantika Wahi,Adv.
 Ms. Shivangi,Adv.
 Ms. Jesal Wahi,Adv.

For State of Jharkhand Mr. Manish Kumar Saran,Adv.
 Mr. Sujit Saurabh,Adv.

For State of A.P. Mrs. D. Bharati Reddy,Adv.

 Mr. Ashok Mathur,Adv.

For State of J & K Mr. Anis Suhrawardy,Adv.
 Mrs. Shamama Anis,Adv.
 Mr. S. Mehdi Imam,Adv.
 Mr. Amit Anand,Adv.

 Mr. B.B. Singh,Adv.

 Mr. Prashant Bhushan ,Adv

 Mr. Raj Kumar Mehta ,Adv

 Mrs. Rachna Gupta ,Adv

5

Mr. Sunil Kumar Jain,Adv.

Mrs. V.D. Khanna,Adv.

Mr. M.N. Sharma,Adv.

Mr. Annam D.N. Rao,Adv.

Mrs. Revathy Raghavan,Adv.

Mr. J.P. Dhanda,Adv.

Mr. Mukesh K. Giri,Adv.

Mr. Radha Shyam Jena ,Adv

Mr. Vijay Kumar,Adv.
 Mr. Vishwajit Singh ,Adv

Mr. Javed Mahmud Rao ,Adv

Mr. Ravi Prakash Mehrotra ,Adv

Mr. T.V. Ratnam,Adv.

UPON hearing counsel the Court made the following
ORDER

Having heard Mr. Narasimha, learned amicus curiae and the learned Solicitor General of India, we are of the opinion that the charts, supplied by the former, may be considered the basis by the Law Ministry for arriving at a decision in regard to the transfer of cases from criminal to civil, and in particular, the cases which are more than 5 years old, for disposal by the Fast Track Courts. Learned Solicitor General assures us that the Ministry of Law shall carry out a survey and take a decision in this behalf as expeditiously as possible, preferably within a period of three months from the date of communication of this order.

Put up the matter after three months.

(A.S. BISHT)
COURT MASTER

(PUSHAP LATA BHARDWAJ)
COURT MASTER