

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

RECORD OF PROCEEDINGS

T.C.(C) No. 22/2001

Brij Mohan Lal

Petitioner

VERSUS

Union of India & Ors.

Respondents

(With appln(s) for permission and directions and implement the directions and permission to place additional documents on record)(Office report)

(Office report with quarterly reports received form High Courts and State Govt. for directions)

With

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

W.P.(C) No. 140/2005(With appln. For interim directions)

Date: 02.02.2007 :This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.B.SINHA

HON'BLE MR. JUSTICE MARKANDEY KATJU

For Petitioner(s)/

Mr. P.S. Narasimha, A.C.

Respondent(s)

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M/s P.S.N. & Co.

Mr.Chander Shekhar Ashri, Adv.

I.A.No.13 in

Mr. A.V.Rao, Adv.

T.C.22/01

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Mr. Prab hakar P., Adv.

Mr. Venkateshwara Rao Anumole, Adv.

T.C.No.22/01

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Mr.Sameer Parekh, Adv.

Ms.Sonali Basu Parekh, Adv.

Mr.Ajay K.Jha, Adv.

Ms. Deeksha Rai, Adv.

For M/s. P.H. Parekh & Co.

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Registrar General Mr. K. Ramkumar, Adv.

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Ms. I. Madhavi, Adv.

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Mr.Saurabh Trivedi, Adv.

State of Tripura

Mr.Gopal Singh, Adv.

Mr. Rituraj Biswas, Adv.

State of Bihar

Mr.Gopal Singh, Adv.

Mr.Anukul Raj, Adv.

Intervenor in I.A.9

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State of H.P.

Mr.J.S. Attri, Addl. Adv. Genl.

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Ms.A.Subhashini, Adv.

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Ms. Hemantika Wahi, Adv.

Ms. Pinky Behera, Adv.

Ms.Shivangi, Adv.

State of Kerala

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Ms.Beena Prakash, Adv.

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M/s Corporate Law Group

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Mr. J.P.Dhanda, Adv.(NP)

Mr.Ashok Mathur, Adv.

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Mrs. V.D. Khanna, Adv.

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Mr. T.C.Sharma, Adv.

Ms. Neelam Sharma, Adv.

High Court of J&K

Mr. Tara Chandra Sharma, Adv.

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Mr.V.N.Raghupathy, Adv.

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W.P.(C) No.140/05

Mr.Ashok Bhan, Adv.

Mrs.Sunita Sharma, Adv.

Mrs. Anil Katiyar, Adv.

Mr. S. Ravishankar, Adv.

Ms. Priyanka, Adv.

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Mr.Sonam P.Wangdi, A.G.

Mr. A. Mariarputham, Adv.

Ms. Aruna Mathur, Adv.

For M/s Arputham Aruna & Co.

State of Karnataka

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Mr. Anil K.Mishra, Adv.

Mr.Vikrant Yadav, Adv.

Mr. Sashidhar, Adv.

State of Tripura

Mr. Gopal Singh, Adv.

Ms. Retu Rai Biswas, Adv.

State of Nagaland Mr. U. Hazarika, Adv.

Mr. Satya Mitra, Adv.

Ms. Sumita Hazarika, Adv.

Mrs. Sunita Sharma, Adv.

Mr. D. S. Mahra, Adv.

UPON being mentioned the Court made the following

O R D E R

Having heard learned counsel for the parties, we direct the

State of West Bengal to take steps for filling up the balance vacancies in the Fast

Track Courts in terms of the recommendations of the High Court. Mr. Bhaskar

P. Gupta, learned senior counsel appearing on behalf of State of West Bengal

assures us that an appropriate notification shall be issued within one week from

date. We may also place on record that, according to Mr. Gupta, the State has

objection only in regard to name of one of the recommendees. The High Court

may consider that aspect of the matter.

Before us learned Solicitor General appearing on behalf of the Union of

India and learned Amicus-Curiae have placed three charts

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showing pendency of the cases in the Sessions Courts in all the States; pendency of cases in the Courts of Judicial Magistrates First Class/Metropolitan Magistrates and pendency of cases in the Courts of Chief Judicial Magistrate.

Keeping in view the fact that a large

number of cases are pending in the said Courts, we request the High Court to

consider the question as to whether the work of the existing Fast Track Courts

can be confined to criminal matters and upon such consideration their views may

be conveyed to this Court.

Let the matter appear for hearing on the said issue on 30.3.2007. The

High Courts are requested to file their affidavits latest by 20.3.2007.

The State Governments are also directed to consider the proposal of

constituting Fast Track Courts at the CJM or Magisterial level, or both, at their

own expense or with the support of the Central Government. Their views in this

behalf may be conveyed to this Court. Put up on 5.4.2007 for considering this

aspect of the matter. Affidavits in this behalf should be filed by 26.3.2007.

The State Governments as also the High Courts must state on affidavit

stating the reasons as to why the existing vacancies have not yet been filled up.

(Meenu Sethi)

(Pushap Lata Bhardwaj)

Court Master

Court Master