

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

RECORD OF PROCEEDINGS

TRANSFER CASE (CIVIL) NO(s). 22 OF 2001

BRIJ MOHAN LAL

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(With appln(s) for directions and permission and intervention and office report)

(Office report with quarterly reports received from High Courts and State Government and f
or

directions)

With

TC(C) 23/2001, SLP(C) No. 7870/2001, SLP(C) 10645/2001, TP(C) 407-410/2001 w
ith WP(C)

140/2005

Date: 29/07/2005 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.B. SINHA

HON'BLE MR. JUSTICE S.H. KAPADIA

For Petitioner(s) Mr. Jitendra Mohan Sharma, Adv.

Mohd. Halim Siddiqui, Adv.

Mr. Sandeep Singh, Adv.

Mr. Chander Shekhar Ashri, Adv.

WP(C) 140

Mr. S. Ravi Shankar, Adv.

Mr. R. Yamunah Nachiar, Adv.

For I.A 13

Mr. Venkateshwara Rao Anumolu, Adv.

For Respondent(s)

Union of India

Mr. A. Sharan, ASG

Ms. Sunita Sharma, Adv.

Mr. D.S. Mahera, Adv.

Ms. Varuna Bhandari Gugnani, Adv.

Mr. T.V. Ratnam, Adv.

Mr. P Parmeswaran, Adv.

Mrs. Anil Katiyar, Adv.

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

Mr. Ananga Bhattacharyya, Adv.

Mr. Avijeet Lala, Adv.

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

Patna High Court

Mr. P.H. Parekh, Adv.

Mr. Rohit Alex, Adv.

Allahabad High Court

Mr. Ashok K. Srivastava, Adv.

Mr. Shaiwal Srivastava, Adv.

Mr. Saurabh Trivedi, Adv.

State of Goa

Ms. A. Subhashini, Adv.

State of Nagaland

Mr. Upamanya Hazarika, Adv.

Mr. Satya Mitra, Adv.

State of Assam

Mr. Krishna Sarma, Adv.

Mr. V.K. Sidharthan, Adv.

Mr. Atul Kumar, Adv.

Mr. Riku Sarma, Adv.

State of Arunachal

Mr. Anil Shrivastava, Adv.

Pradesh

Ms. Banosri, Adv.

Ms. Smita, Adv.

State of Manipur

Mr. KH. Nobin Singh, Adv.

State of Rajasthan

Mr. Aruneshwar Gupta, Addl.Adv.General

Mr. Naveen Kumar Singh Adv.

State of Maharashtra

Mr. S.S. Shinde, Adv.

Mr. V.N. Raghupathy, Adv.
Mr. Mukesh K. Giri, Adv.

State of Meghalaya Mr. Ranjan Mukherjee, Adv.

State of Pondicherry Mr. V.G. Pragasan, Adv.

State of Jharkhand Ms. Pinky Anand, Sr. Standing Counsel
Mr. D.N. Goburdhun, Adv.
Mr. Rajesh Pathak, Adv.

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

State of Chhattisgarh Ms. Suparna Srivastava, Standing Counsel
Ms. Deepti Singh, Adv.
Mr. Rajesh Srivastava, Adv.

State of A.P. Mr. B. Sridhar, Adv.
Mr. K. Ramkumar, Adv.
Mr. D. Bharathi Reddy, Adv.
Mr. P. Vinay, Adv.
Ms. Sneha Bhaskaran, Adv.

State of Gujarat/Mizoram Mrs. Hemantika Wahi, Adv.
Ms. Sudhna Sndhu, Adv.

State of W.B./
J & K Mr. Bhaskar P. Gupta, Sr. Adv.
Mr. Tara Chandra Sharma, Adv.
Ms. Neelam Sharma, Adv.

State of Chandigarh Ms. Kamini Jaiswal, Adv.
Mrs. Shomila Bakshi, Adv.

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

State of Punjab Mr. Sanjay Jain, Adv.

State of H.P. Mr. J.S. Attri, Adv.

Mr. J.P. Dhanda, Adv.

Mr. Ashok Mathur, Adv.

Mr. B.S. Banthia, Adv.

Mr. V.D. Khanna, Adv.

Mr. Raj Kumar Mehta, Adv.

Mr. M.N. Sharma, Adv.

Mr. V.G. Pragasam, Adv.

Mrs. Revathy Raghavan, Adv.

Mr. Radha Shyam Jena, Adv.

Mr. S. Murlidhar, Adv.

Mr. Arun K Sinha, Adv.

For Intervenor

Mr. Ranjeet Kumar, Sr. Adv.

Mr. Vijay Kumar, Adv.

Mr. Vishwajit Singh, Adv.

UPON hearing counsel the Court made the following

O R D E R

The affidavit filed on behalf of the State of Uttar Pradesh is wholly unsatisfactory. The

State of Uttar Pradesh as also the High Court of Judicature at Allahabad, is directed to file

appropriate affidavits within three weeks as regard the continuity of service or otherwise of those

judicial officers including those who had been reverted to the post of Civil Judge (Senior

Division).

Let notice be issued to the Union of India and also to the High Court of Judicature at

Calcutta returnable within four weeks. Counter Affidavits be filed within three weeks.

IA 11

Let notice be issued to the Union of India and also to the High Court of Judicature at

Calcutta returnable within four weeks. Counter Affidavits be filed within three weeks.

IA Nos. 11 and 12 will be heard together.

IA 13

Issue notice returnable within four weeks.

Ms. D. Bharati Reddy and Mr. T.V. Ratnam, learned counsel accept notice on behalf of

the State of Andhra Pradesh and the Union of India respectively.

Affidavits be filed within three weeks.

IA 14

Issue notice to the State of Madhya Pradesh and also the High Court of Madhya

Pradesh returnable within four weeks. Mr. C.D. Singh, and Mr.T.V. Ratnam, learned counsel

accept notice on behalf of the State of M.P. and the Union of India respectively.

Counter Affidavits be filed within three weeks.

It appears that despite this Court's order dated 29th April, 2005 some of the States/High

Courts have not filed their respective affidavits. The Registry shall inform the standing counsel

appearing on behalf of the States/High Courts that the affidavits to be filed within three weeks.

Mr. Tara Chand Sharma, learned counsel accepts notice on behalf of the State of Jammu

& Kashmir and the J & K High Court.

Mr. P.H. Parekh, appearing on behalf of the Patna High Court states that he files an

affidavit. Let it be kept on record. Registry is directed to number the affidavit as an I.A.

Issue notice. Mr. B.B. Singh learned counsel accepts notice on behalf of the State of

Bihar.

List the matters after four weeks.

Rupam

(PHOOLAN WATI ARORA)

COURT MASTER