

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

Transferred Case (Civil) No.22 of 2001

BRIJ MOHAN LAL

Petitioner (s)

VERSUS

UNION OF INDIA & ORS.

Respondent (s)

(Office Report with quarterly reports received from High Courts  
and State Govt. for directions.)

With

T.C.(C) No.23 of 2001

T.P.(C) Nos.407-410 of 2001

S.L.P. (C) No.7870 of 2001

S.L.P. (C) No.10645 of 2001

Date : 05/01/2004 These Petitions were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE S.B. SINHA  
HON'BLE MR. JUSTICE S.H. KAPADIA

For Petitioner (s) Mr. K.S. Saini, Adv.  
Mr. Chander Shekhar Ashri, Adv.

Mr. PS Narasimha, Adv.  
for M/s. P.S.N. & Co., Adv.

For Respondent (s)

UOI Mr. K.N. Raval, SG  
Mr. Prateek Jalan, Adv.  
Mr. P. Parmeswaran, Adv.

Ms. Pinky Anand, Adv.  
Ms. Anil Katiyar, Adv.

State of U.P. Mr. Ravi Prakash Mehrotra, Adv.  
Ms. Deepti R. Mehrotra, Adv.  
Mr. Garvesh Kabra, Adv.  
Mr. R.K. Singh, Adv.  
...2/-

State of Gujarat/ Ms. Hemantika Wahi, Adv.  
State of Mizoram Ms. Monica Bapna, Adv.

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

State of Madhya Pradesh Mr. SK Agnihotri, Adv.  
Mr. Rohit K. Singh, Adv.

State of Jharkhand Mr. Ashok Mathur, Adv.  
Mr. Rajesh Pathak, Adv.

State of J&K Mr. Altaf H. Nayak, Adv. Genl.  
Mr. Anis Suhrawardy, Adv.

State of Manipur Mr. Khwairakpam Nobin Singh, Adv.

State of Meghalaya Mr. Ranjan Mukherjee, Adv.

State of Rajasthan Mr. Ranji Thomas, Adv.  
Ms. Bharati Upadhyay, Adv.  
Mr. V.N. Raghupathy, Adv.

State of A.P. Mr. T.V. Ratnam, Adv.  
Mr. K Subba Rao, Adv.  
Mr. O.S.G. Prasuna, Adv.

State of Punjab Mr. R.K. Rathore, Addl. Adv. General  
Mr. RS Suri, Adv.

State of Nagaland Mrs. V.D. Khanna, Adv.  
Mr. U. Hazarika, Adv.  
Ms. Sumita Hazarika, Adv.

State of Karnataka Mr. Sanjay R Hegde, Adv.

State of Sikkim Mr. A Mariarputham, Adv.  
& Rajasthan High Court Ms. Aruna Mathur, Adv.  
M/s. Arputham, Aruna and Co., Adv.

State of Arunachal Pradesh Mr. Anil Shrivastava, Adv.

State of West Bengal Mr. TC Sharma, Adv.  
Ms. Neelam Sharma, Adv.

State of Assam Ms. Krishna Sarma, Adv.  
Mr. Sanjay Choudhury, Adv.  
Mr. Neeraj Kumar, Adv.  
Ms. Asha G. Nair, Adv.  
M/s. Corporate Law Group, Adv.

...3/-

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State of Tripura Mr. Anurag Sharma, Adv.  
Mr. Navin Prakash, Adv.  
Mr. Gopal Singh, Adv.

U.T., Pondicherry Mr. VG Pragasam, Adv.

NCT, Delhi Ms. Pinky Anand, Adv.  
Mr. T.A. Khan, Adv.  
Ms. Anil Katiyar, Adv.

U.T. Andaman & Nicobar, Dadra & Nagar Haveli, Lakshadweep Mr. R.K. Rathore, Adv.  
Mr. D.S. Mehra, Adv.

State of Kerala Mr. Ramesh Babu M.R., Adv.  
Ms. Anupama, Adv.

State of Haryana Mr. Neeraj Kumar Jain, Adv.

State of Bihar Mr. B.B. Singh, Adv.  
Ms. Sunita R. Singh, Adv.

State of Goa Ms. A Subhashini, Adv.

State of Tamil Nadu Mr. S. Prasad, Adv.  
Mr. Abhay Kumar, Adv.  
Mr. R. Gopal Krishan, Adv.  
Ms. Prachi Vajpai, Adv.

State of Maharashtra Mr. Mukesh K. Giri, Adv.

State of Uttaranchal Ms. Rachna Srivastava, Adv.

State of Orissa Mr. Raj Kumar Mehta, Adv.

Mr. R.S. Jena, Adv.

For High Court of Mr. Ashok K. Srivastava, Adv.  
Allahabad

Mr. B.S. Banthia, Adv.

For High Court of Ms. Kamini Jaiswal, Adv.  
Haryana

Ms. Rachna Gupta, Adv.

Ms. Rachana Srivastava, Adv.

in TP 407-10 Mr. K Ram Kumar, Adv.

No. 1 in SLP 7870 Mr. Prashant Bhushan, Adv.  
...4/-

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in IA..in TC 22 Mr. A.D.N. Rao, Adv.

in IA 4 (Rajasthan Mr. A.D.N. Rao, Adv.  
Judicial Officers  
Association)

in IA 4-5 Mr. V.N. Raghupathy, Adv.

in IA 8 Mr. A. Mariarputham, Adv.

Mr. J.P. Dhanda, Adv.

Mr. M.N. Sharma, Adv.

Ms. Revathy Raghavan, Adv.

For High Court of Mr. Amit Pawan, Adv.  
Patna Mr. Amit Kumar, Adv.

For High Court of Mr. T.C. Sharma, Adv.  
Jammu & Kashmir

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

Mr. Janaranjan Das, Adv.

Mr. S. Mishra, Adv.

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

States of Bihar, Gujarat, Himachal Pradesh, Karnataka, Kerala, Madhya Pradesh, Orissa, Punjab and West Bengal:

We direct that the exercise for appointment shall be completed within two months and the persons shall be appointed to the Fast Track Courts by 31st  
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of March, 2004. In case the premises for the Court rooms are not available, they shall either be constructed or taken on lease wherefor the requisite charges by way of rent etc. shall be borne by the State concerned.

Mr. B.B. Singh, learned counsel appearing for the State of Bihar, stated that another batch of 30 names have been sent by the High Court for appointment in the Fast Track Courts and they would be appointed by 31st January, 2004.

State of Goa:

So far as the State of Goa is concerned, learned counsel appearing for the State stated that the recommendation for appointment of Judges have already been received and notification to that effect will be issued by 31st of January, 2004 and the Fast Track Courts will become operative by 1st of February, 2004.

State of Jammu and Kashmir:

Learned Advocate General appearing for the State stated that the High Court has now, in terms of the Scheme, recommended the names of six persons from the Higher Judicial Services and they would be appointed shortly. We direct that remaining posts be filled up within a period of another three months.

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State of Haryana:

It has been stated at the Bar that the High Court of Punjab and Haryana has recommended the names of 20 persons for appointment to the Fast Track Courts from the Higher Judicial Services, but the State of Haryana has not sanctioned the remaining posts in the Higher Judicial Services. Learned counsel appearing for the High Court undertakes that the High Court shall make afresh recommendation for 36 posts. Let that be done within a period of one month. After the receipt of recommendation, the State shall accord sanction for the creation of remaining posts in the Higher Judicial Services and appointment shall be made accordingly.  
List these matters after three months.

[ Alka Dudeja ]                      [ Janki Bhatia ]  
Court Master                      Court Master