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W.P(C)No. 522 OF 2003

ITEM No.44

Court No. 1

SECTION PIL
A/N MATTER

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

Writ Petition(Civil) No.522/2003

AJAY K. AGRAWAL

Petitioner (s)

VERSUS

UNION OF INDIA

Respondent (s)

(With Appln(s). for intervention and directions and intervention and
c/delay in filing counter affidavit)

With

W.P(Crl.)No.217/2003 (with appln.(s) for intervention and intervention),

W.P(C)No.575/2003 (with appln.(s) for ad interim orders) and

W.P(Crl.)No.1/2004 (with appln.(s) for stay)

Date : 15/03/2004 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)
in WP 522In person.

in WP 217Mr. Deepak Dhingra, Adv.

Mr. Pradeep Kumar Bakshi, Adv.

Ms. Prgya Gupta, Adv.

Ms. Deeksha Saxena, Adv.

in WP 575In person.

in WP 1Mr. Harish N Salve, Sr. Adv.

Mr. Santosh Paul, Mr. Ranjan Kumar, Mr. Rajeev

Sharma, Mr. Sandeep Chhabra and Mr. M J Paul, Advs.

For Respondent (s)

Union of India Mr. Kirit N Raval, SG

Mr. P Parmeswaran, Adv.

Mr. A Mariarputham, Adv.

Ms. Aruna Mathur, Adv.

Ms. Anil Katiyar, Adv.

State of Assam Ms. Krishna Sarma, Adv.

Mr. Sanjay V S Choudhury, Adv.

Mr. V K Sidharthan, Adv.

Mr. Niraj Kumar, Adv.

For Corporate Law Group, Advs.

State of Arunachal Mr. Anil Shrivastav, Adv.

Pradesh Mr. Jyoti Dutt, Adv.

State of Andhra Mr. T V Ratnam, Adv.

Pradesh Mr. K Subba Rao, Adv.

Mr. O S G Prasuna, Adv.

UT Chandigarh Ms. Kamini Jaiswal, Adv.

NCT of Delhi Ms. Pinky Anand, Adv.
Mr. D N Goburdhan, Adv.
Ms. Geeta Luthra, Adv.

State of Gujarat Ms. Hemantika Wahi, Adv.
Ms. Aruna Gupta, Adv.

State of Goa Ms. A Subhashini, Adv.

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

State of Haryana Mr. Nikhil Goel, Adv.
Ms. Kavita Wadia, Adv.

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

State of Karnataka Mr. A N Jayaram, Adv. Genl.
Mr. Sanjay R Hegde, Adv.
Mr. Anil Misra, Adv.

State of Manipur Mr. KH Nobin Singh, Adv.
Mr. Sapam Biswajit Meitei, Adv.

State of Mizoram Ms. Hemantika Wahi, Adv.
Ms. Aruna Gupta, Adv.

State of Meghalaya Mr. Ranjan Mukherjee, Adv.

State of Maharashtra Mr. Ashok H Desai, Sr. Adv.
Mr. U U Lalit, Adv.
Mr. Choudhari, Mr. Rui Rodrix, Mr. S S Shinde,
Mr. Dipak Bhattacharya, Mr. Prabir Chowdhary and
Mr. Mukesh K Giri, Advs.

State of M.P. Mr. S K Agnihotri, Adv.
Mr. Rohit K Singh, Adv.

State of Nagaland Mr. U Hazarika, Adv.
Ms. Madhvi Sharma, Adv.
Ms. Sumita Hazarika, Adv.

State of Orissa Mr. R S Jena, Adv.

Govt of Pondicherry Mr. V G Pragasam, Adv.

State of Punjab Mr. R K Rathore, Addl. Adv. Genl.
Mr. R S Suri, Adv.

State of Rajasthan Ms. Sandhya Goswami, Adv.

State of Sikkim Mr. A Mariarputham, Adv.
Ms. Aruna Mathur, Adv.
For M/s. Arputham, Aruna & Co., Advs.

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

State of U.P. Mr. Ravi P Mehrotra, Adv.
Ms. Deepti R Mehrotra, Adv.
Mr. Garvesh Kabra, Adv.

Mr. Punit Dutt Tyagi, Adv.

State of Uttaranchal Mr. P K Pandey, Adv.
Ms. Sangeeta Sharma, Adv.

State of W.B. Mr. Tara Chandra Sharma, Adv.
Ms. Neelam Sharma, Mr. Ajay Sharma and Mr. Tarun
Sharma, Adv.

Intervenor Mr. B N Deshmukh, Sr. Adv.
Dr. Kailash Chand, Adv.

Intervenor Mr. Shivaji M Jadhav, Adv.(NP)

Ms. Binu Tamta, Adv. (NP)

UPON hearing counsel the Court made the following
ORDER

Having heard learned counsel for the parties, we direct that all the 48 cases mentioned in Annexure A to the affidavit of Shri A K Ohri, SP, CBI dated 10th March, 2004 be referred to the Central Bureau of Investigation (CBI) for investigation and action in accordance with law. The concerned State Governments shall associate and attach with CBI such resources as mentioned in paragraphs 7 and 8 of the said affidavit, including the officials of the State Police as required by CBI, after mutual discussion and all concerned authorities will cooperate with CBI in this regard.

We may further clarify that the order dated 7th January, 2004 passed by the State Government shall not come in the way of CBI for investigation against Abdul Karim Ladsa Telgi for the offences committed by him.

We further direct that no High Court shall entertain any petition or pass any order in regard to the abovesaid 48 cases.

The status report shall be submitted by CBI within a period of four months.

List these matters after July 2004 before a Bench of which Hon'ble Mr. Justice S.B. Sinha and Hon'ble Mr. Justice S.H. Kapadia are Members.

(D.P. WALIA)
COURT MASTER

(JANKI BHATIA)
COURT MASTER