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W.P(C)No. 522 OF 2003
ITEM No.305

Court No. 2

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 clarification and directions and intervention and
C/delay in filing counter affidavit and impleadment as party respondent
and directions and directions]

With

W.P.(Crl.)No.217/2003; W.P.(C)No.575/2003; W.P.(Crl.)No.1/2004;
W.P.(Crl.)No.269/2003; and W.P.(Crl.)No.270/2003.

Date : 10/01/2005 These Petitions were called on for hearing today.

CORAM :

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

For Petitioner (s)In person
in WP(C)No.522/03

in WP(Crl.)No.217/03Mr. Pradeep Kumar Bakshi, Adv.

in WP(Crl.)No.575/03In person

in WP(Crl.)No.1/2004Mr. Santosh Paul, Adv.

Mr. Rajeev Sharma, Adv.

Mr. M.J. Paul, Adv.

in WP(Crl.)No.269/03Mr. Bhupender Yadav, Adv.Gen.

Mr. R.C. Kohli, Adv.

in WP(Crl.)No.270/03Ms. Pinky Anand, Adv.

Mr. D.N. Goburdhan, Adv.

For Respondent (s)

for UOI Mr. G.E. Vahanvati, SG,

Mr. A. Sharan, ASG,

Ms.Sandhya Goswami,Adv.,

Mr.P. Parmeswaran,Adv.

Mr. B.N. Deshmukh, Adv.

Mr. Pravin Satale, Adv.

Dr.Kailash Chand,Adv.

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Mr. Sanjay R. Hegde, Adv.

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

Mr. Shivaji M. Jadhav, Adv.

Mr.T.V.Ratnam,Adv.

For State of M.P. Mr. Satish K. Agnihotri, Adv.
Mr. Rohit K. Singh, Adv.
Mr. Amit Mishra, Adv.

for State of Gujarat Ms. Hemantika Wahi, Adv.
Ms. Sadhna Sandhu, Adv.

For State of Jharkhand Mr. Gopal Prasad, Adv.
Mr. Anand Shekhar, Adv.

For UT of Chandigarh Ms. Kamini Jaiswal, Adv.,
Mr. Saqib, Adv.

For State of Assam Ms. Krishna Sarma, Adv.
Mr. V.K. Sidharthan, Adv.
Mr. J.R. Luwang, Adv. for
M/s. Corporate Law Group, Adv.

For State of U.P. Mr. S. Wasim A. Qadri, Adv.
Mr. S.A. Khan, Adv.
Mr. Ravi P. Mehrotra, Adv.

For State of Manipur Mr. Kh. Nobin Singh, Adv.

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

For Govt. of Pondicherry Mr. V.G. Pragasam, Adv.

For State of W.B. Mr. Tara Chandra Sharma, Adv.
Ms. Neelam Sharma, Adv.

For State of H.P. Mr. J.S. Attri, AAG,
Mr. Pramod Kumar Yadav, Adv.

For State of Meghalaya Mr. Ranjan Mukherjee, Adv.

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

For Arunachal Pradesh State: Mr. Anil Shrivastava, Adv.
Ms. Smita, Adv.

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

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For State of T.N. Mr. Subramonium Prasad, Adv.,
Mr. Gopalakrishnan, Adv.,
Mr. Abhay Kumar, Adv.,
Mr. Rahul, Adv.

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

For State of J&K Mr. Altaf H. Naiyuk, A.G., J&K
Mr. Anis Suhrawardy, Adv.

For State of A.P. Mrs. D. Bharati Reddy, Adv.,
Mr. B. Vikas, Adv.
Ms. Sneha Bhaskaran, Adv.

Uts Mr. S. Wasim A Qadri, Adv.
Mr. D.S. Mahra, Adv.

For State of Rajasthan: Mr.Aruneshwar Gupta,AAG
Mr. Naveen Kumar Singh, Adv.
Ms. Shivangi, Adv.

For State of Maharashtra Mr. S.K. Dholakia, Sr. Adv.
Mr. S.S. Shinde, Adv.
Mr. Ravindra K. Adsure, Adv.

For State of KeralaMr. K.R. Sasiprabhu, Adv.
Mr. John Mathew, Adv.
Ms. Indira, Adv.

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

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

Mr. Revathy Raghavan, Adv.

For State of Punjab: Mr.R.K. Rathore,AAG
Mr.A.K. Sinha,Adv.,

for State of Chhatisgarh: Ms. Suparna Srivastava,Adv.,
Mr.Rajesh Srivastava,Adv.,
Ms. Deepti Singh, Adv.
Mr.Rahul Srivastava,Adv.

Ms. Binu Tamta, Adv.

For State of Bihar Mr. B.B. Singh,Adv.

For State of Orissa Mr.Radha Shyam Jena,Adv.

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UPON hearing counsel the Court made the following

O R D E R

Learned Solicitor General states on instructions from the Department of Personnel & Training (DOPT) that CBI may submit proposal to the DOPT for extension of the period of deputationists on case to case basis and such proposal, as far as possible, be considered by DOPT favourably, so as not to disrupt the pending investigations. This statement is taken on record.

It is further stated by the learned Solicitor General that there exists Video Conferencing facility in the State of Karnataka as well as in the State of Maharashtra, but, different systems of Video Conferencing adopted in these two States are not compatible. In this situation, the learned Solicitor General suggested that a Nodal Officer be appointed by each of the two States for proper co-ordination. This suggestion is accepted by the learned counsel appearing for the State of Maharashtra and for the State of Karnataka.

Mr. Sharan appearing for CBI requests that the States of Karnataka and Maharashtra grant sanction of prosecution of their respective officers which is pending consideration for a long time. We direct the two States to consider and decide the question as regards grant of sanction of prosecution as early as possible and preferably within four weeks from today.

I.A.9

Taken on Board.

Keeping in view the fact that the investigations in all pending matters have been taken up by the CBI it is not necessary to entertain this I.A. The petitioner, if so advised, may file an independent substantive application. Hence, the I.A. is

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dismissed.

With the aforementioned observations and directions, the writ petitions are disposed of. The parties shall, however, be at liberty to mention the matter if and when an occasion arises the refor.

(Subhash Chander)(Prem Prakash)

Court Master Court Master