

W.P(C)No. 522 OF 2003
ITEM No.301

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 intervention and clarification and directions and
c/delay in filing counter affidavit and impleadment as party respondent)
With

W.P(Crl.)No.217/2003 (with appln. for intervention and intervention),
W.P(C)No.575/2003 (with appln. for ad interim orders), W.P. (crl) No.1/2004 (with appln. for s
tay), W.P(Crl.)No.269/2003,W.P(Crl.)No.270/2003 (with appln. for directions),

Date : 09/08/2004 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 WP 522/03Mr.Ajay K.Agarwal, Petitioner-In-person
for ApplicantsMr.P.K. Manohar,Adv.
in WP 217/2003 Mr.Pradeep Kumar Bakshi,Adv.,
Mr.Deepak Dhingra,Adv.

In WP 575/03Mr.Kuldeep Kumar, Petitioner-In-person

in WP 1/2004Mr.Santosh Paul,Adv.,
Mr.Ranjan Kumar,Mr.Rajeev Sharma,
Mr.Sandeep Chhabra,Mr.M.J. Paul,Advs.

In WP 269/03Mr.R.C. Kohli,Adv.,
Mr.Bhupender Yadav,Adv.

In WP 270/03
Mr.D.N. Goburdhan,Adv.,
Ms.Pinky Anand,Adv.,
Ms.Geeta Luthra,Adv.

For Respondent (s)
for UOI (R-1)Mr.R. Mohan,ASG
Mr.A.Mariarputham,Adv.,
Ms.Aruna Mathur,Adv.

For CBI (R-37)Mr.B. Datta,ASG
Mr.Aarohi Bhalla,Adv.,
Mr.P.Parmeswaran,Adv.,
Mr.A. Mariarputham,Adv.,

Ms.Aruna Mathur,Adv.

For State of A.P.(R-2) Mr.T.V. Ratnam,Adv.

for Arunachal Pradesh:(R-3) Mr. Anil Shrivastav,Adv.

For State of Assam(R-4)Ms.Krishna Sarma,Adv.,
Mr.Niraj Kumar,Adv.for
M/s.Corporate Law Group

for State of Bihar(R-5) Mr.B.B. Singh,Adv.

For Chhatisgarh State(R-6) Mr.Prakash Srivastava,Adv.

For Goa State (R-7)Ms.A.Subhashini,Adv.

For Gujarat State(R-8) Ms.Hemantika Wahi,Adv.,
& Mizoram State (R-19) Ms.Aruna Gupta,Adv.

For Haryana State(R-9) Mr.Sonder Khatri,Adv.,
Mr.Vinay Kr.Garg,Adv.

For Himachal Pradesh(R-10) Mr.J.S. Attri,Adv.

For J & K State(R-11)Mr.Anis Suhrawardy,Adv.

for Jharkhand State(R-12)Mr.Gopal Prasad,Adv.,

for Karnataka State (R-13) Mr.Sanjay R. Hegde,Adv.

for Kerala State (R-14)Mr.Ramesh Babu M.R.Adv.

For State of M.P.(R-15)Mr.Satish K.Agnihotri,Adv.

For Maharashtra State(R-16)Mr.S.K. Dholakia,Sr.Adv.,
Mr.R. Rodreges,Adv.,
Mr.S.S. Shinde,Adv.,
Mr.Mukesh K.Giri,Adv.

For Manipur State (R-17)Mr.Khwairakpam Nobin Singh,Adv.

For Meghalaya State(R-18)Mr.Ranjan Mukherjee,Adv.

For Nagaland State(R-20) Ms.S.Hazarika,Adv.,
Mr.Riku Sharma,Adv.

For Orissa State (R-21)Mr.R.S. Jena,Adv.

For Punjab State(R-22)Mr.R.K. Rathore,AAG,Punjab
Mr.A,K. Sinha,Adv.

For Rajasthan State(R-23)Ms.Sandhya Goswami,Adv.

For Sikkim State(R-24)Mr.A.Mariarputham,Adv.

For Tamil Nadu State(R-25) Mr.S.Prasad,Adv.,
Mr.Sree Narain Jha,Adv.,
Mr.Abhay Kumar,Adv.,
Mr.R. Gopalkrishnan,Adv.

For Tripura State (R-26) Mr.Gopal Singh,Adv.,
Mr.Anurag Sharma,Adv.

For U.P.State (R-27)Mr.Ravi Prakash Mehrotra,Adv.,
Ms.Deepti R.Mehrotra,Adv,
Mr.Garvesh Kabra,Adv.

For Uttaranchal State(R-28) Ms.Rachna Srivastava,Addl.Adv.Genl.

For West Bengal State(R-29) Mr.Tara Chandra Sharma,Adv.
Ms.Neelam Sharma,Adv.

For UTs of Anadaman Nicobar(R-30)
Daman & Diu (R-33),
Dadra & Nagar Haveli(R-34)
Lakshadweep (R-35) Mr.Y.P. Mahajan,Adv.,
Mr.D.S. Mahra,Adv.

For UT of Chandigarh(R-31)Ms.Kamini Jaiswal,Adv.

For NCT of Delhi (R-32) Mrs.Anil Katiyar,Adv.

For UT of Pondicherry(R-36) Mr.V.G. Pragasam,Adv.

in WP 217/2003Mr.Dipak Bhattacharyya,Adv.,
Mr.Prabir Chowdhary,Adv.

In WP 1/2004Ms.Binu Tamta,Adv.

For Intervenor:Dr.Kailash Chand,Adv.

For Intervenor:Mr.Shivaji M. Jadhav,Adv.

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

I.A.Nos.7-8/2004 in WP (c) 522/2003. Having heard the learned counsel for the parties, we direct that the order of this Court dated 15.3.2004 shall not come in the way of the courts of competent jurisdiction to deal with the bail applications of the accused persons. This order shall however be subject to any other or further order which may be passed by this Court.

W.P.(c) 522/2003,WP (Crl.) 217/2003, WP(c) 575/2003, WP (crl) 1/2004, WP (crl) 269/2003 and WP (crl) 270/2003.

Mr.B. Datta, the learned ASG appearing for the CBI states that CBI has taken over the investigation in 48 cases out of which chargesheets have been submitted in six cases and in one case investigation is still continuing. Let the CBI complete the investigation in terms of the directions made by this Court earlier, expeditiously.

Let this matter be listed three months hence.

Mr.S.K. Dholakia, the learned senior counsel appearing for the State of Maharashtra states that investigation of all the 23 cases have been transferred to the CBI and notification dated 23-3-2004 to this effect has already been issued.

(Vijay Kumar Sharma) (Prem Prakash)
AR cum PS to Hon.Judge Court Master

Copy of the order be given today itself.