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W.P(Crl.)No. 33 OF 1997

ITEM No.301

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(Crl.) No. 33/1997@@  
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SAKSHI

Petitioner (s)

VERSUS

UOI & ORS.

Respondent (s)

(With letter received from Hon'ble Mr. Justice V.S. Malimath  
and with Office Report)  
With

SLP(Crl.)No. 1672-1673/2000

(With appln. for stay and exemption from filing c/c of the  
impugned judgment)  
(For directions)

Date : 25/09/2001 These Petitions were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE B.N. KIRPAL  
HON'BLE MR. JUSTICE K.T. THOMAS

For Petitioner (s) Dr. A.M. Singhvi, Sr. adv.  
Ms. Naina Kapur, adv.  
Ms. Meenakshi Arora, adv.  
Mr. Saif Mahmood, adv.  
Ms. Niti Dixit, adv.  
Ms. Devyani Prabhat, adv.  
Mr. Vinod C.B., adv.

For Respondent (s) Mr. Altaf Ahmad, ASG  
Mr. T C Sharma, adv.  
Mr. P Parmeshwaran, adv.  
  
Ms. Sashi Kiran, adv.  
  
Mr. Goodwill Indeevar, adv.  
  
Mr. D N Goburdhan, adv.  
Ms. Pinky Anand, adv.  
Ms. Geeta Luthra, adv.  
Mr. Sidharth Luthra, adv.  
  
Mr. G G Upadhyay, adv.  
Mr. Syed Ali Ahmed, adv.  
Mr. Syed Tanweer Ahmed, adv.  
Mr. A K Raina, adv.  
Mr. Vikas Bansal, adv.  
Mr. R D Upadhyay, adv.

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

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The Malimath Committee is requested to examine the issues contained in the representation submitted by the petitioners to the Committee in terms of the signed order.

List the matter after three months.

.SP1

(Kanchan Jain) (Prem Prakash)  
AR-cum-PS Court Master

Signed order is placed on the file.

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IN THE SUPREME COURT OF INDIA  
CRIMINAL ORIGINAL JURISDICTION

WRIT PETITION (CRL.) NO. 33 OF 1997@@  
CCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCC

Sakshi ...Petitioners

Vs.

UOI & Ors. ...Respondents

O R D E R@@  
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.SP2

On 23rd February, 2001, acceding to the request made on behalf of the petitioners by Mr. F.S. Nariman, learned Senior counsel that the petitioners would prepare a comprehensive representation on the important issues involved in the case and send the same to Malimath Committee for its consideration. On 13th August, 2001 we were informed by the learned counsel for the petitioners that there was no communication from Malimath Committee, to whom the representation had been sent by them, as to whether that Committee would be examining the issue or not. We directed the Registrar General to enquire from the Chairman of the Committee, former Chief Justice V.S. Malimath about the matter.

A communication has been received from Justice V.S. Malimath by the Registrar General. A perusal of the communication shows that he had conveyed his view to the petitioners. It appears that there has been

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some communication gap. Be that as it may, the former Chief Justice V.S. Malimath has said in his communication that, "if the Hon'ble Court so desires the Committee would be happy to examine the issue raised in the case."

Let a formal request be made to former Chief Justice V.S. Malimath, Chairman of the Committee on Reforms of Criminal Justice System, to examine the issues contained in the representation submitted by the petitioners to the Committee. The petitioners shall be at liberty to furnish any further information or input for consideration of the Committee. We request the Committee to examine the issues and to advise this Court within three months, as far as possible.

List the matter after three months.

.SP1

.....CJI

.....J.  
(B. N. KIRPAL)

.....J.  
(K. T. THOMAS)

New Delhi  
September 25, 2001.