

ITEM NO.1501 Court 3 (Video Conferencing)

SECTION IV

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Civil Appeal No(s). 2317/2011

THE STATE OF PUNJAB & ORS.

Appellant(s)

VERSUS

DAVINDER SINGH & ORS.

Respondent(s)

(HEARD BY HON'BLE ARUN MISHRA, HON'BLE INDIRA BANERJEE, HON'BLE VINEET SARAN, HON'BLE M.R. SHAH AND HON'BLE ANIRUDDHA BOSE, JJ.

IA No. 15/2013 - Application for Impeachment
 IA No. 12/2013 - Application for Impeachment
 IA No. 11/2013 - Application for Impeachment
 IA No. 10/2012 - Application for Impeachment
 IA No. 18/2016 - Application for Impeachment
 IA No. 8/2011 - Application for Impeachment
 IA No. 9/2012 - Application for Impeachment
 IA No. 17/2014 - INTERVENTION APPLICATION
 IA No. 16/2014 - INTERVENTION APPLICATION
 IA No. 39670/2020 - INTERVENTION/IMPEACHMENT
 IA No. 37429/2020 - INTERVENTION/IMPEACHMENT
 IA No. 50151/2019 - INTERVENTION/IMPEACHMENT
 IA No. 7/2011 - VACATING STAY
 IA No. 6/2011 - VACATING STAY)

WITH

C.A. No. 5586/2010 (IV)
 C.A. No. 5597/2010 (IV)
 C.A. No. 5589/2010 (IV)
 C.A. No. 5593/2010 (IV)
 C.A. No. 5600/2010 (IV)
 C.A. No. 5598/2010 (IV)
 C.A. No. 5587/2010 (IV)
 C.A. No. 5595-5596/2010 (IV)
 C.A. No. 2324/2011 (IV)
 (FOR INTERVENTION APPLICATION ON IA /2010 (UNREGISTERED))
 C.A. No. 6936/2015 (IV)
 SLP(C) No. 30766/2010 (IV-B)
 C.A. No. 2318/2011 (IV)
 SLP(C) No. 5454-5459/2011 (IV-B)
 SLP(C) No. 8701/2011 (IV-B)
 SLP(C) No. 36500-36501/2011 (IV-B)
 T.C.(C) No. 37/2011 (XVI-A)
 T.C.(C) No. 38/2011 (XVI-A)
 C.A. No. 289/2014 (IV)
 T.P.(C) No. 464/2015 (XVI-A)
 W.P.(C) No. 1477/2019 (X)

IA No. 193565/2019 - EX-PARTE STAY)

Date : 27-08-2020 These matters were called on for pronouncement of Judgment today.

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Hon'ble Mr. Justice Arun Mishra pronounced the reportable Judgment of the Bench comprising His Lordship, Hon'ble Ms. Justice Indira Banerjee, Hon'ble Mr. Justice Vineet Saran, Hon'ble Mr. Justice M. R. Shah and Hon'ble Mr. Justice Aniruddha Bose.

The operative portion of the Judgment is extracted hereunder :-

"51. The interpretation of Articles 14, 15, 16, 338, 341, 342, and 342A is a matter of immense public importance, and correct interpretation of binding precedents in Indra Sawhney and other decisions. Though we have full respect for the principle of stare decisis, at the same time, the Court cannot be a silent spectator and shut eyes to stark realities. The constitutional goal of social transformation cannot be achieved without taking into account changing social realities.

52. We endorse the opinion of a Bench of 3 Judges that E.V. Chinnaiah is required to be revisited by a larger Bench; more so, in view of further development and the amendment of the Constitution, which have taken place.

We cannot revisit E.V. Chinnaiah being Bench of coordinate strength. We request the Hon'ble Chief Justice to place the matters before a Bench

*comprising of 7 Judges or more as
considered appropriate."*

**(JAYANT KUMAR ARORA)
COURT MASTER**

**(R. S. NARAYANAN)
COURT MASTER**

(Signed reportable Judgment is placed on the file)