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W.P(C)No. 105 OF 2004  
ITEM No.9

Court No. 3

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.105/2004

PEOPLE'S UNION FOR CIVIL LIBERTIES

Petitioner (s)

VERSUS

UNION OF INDIA & ANR.  
(With Appln(s). for directions and intervention )  
( For Final Disposal )

Respondent (s)

Date : 27/07/2004 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE Y.K. SABHARWAL  
HON'BLE MR. JUSTICE D.M. DHARMADHIKARI

For Petitioner (s)Mr. Rajinder Sachar, Sr.Adv.  
Mr. Sanjay Parikh,Adv.

Mr. A.P. Singh, Adv.

For Respondent (s)Mr. Goolam E. Vahanvati, S.G.  
No.1:Mr. Gopal Subramaniam, Sr.Adv.

Mr. T.S.Doabia, Sr.Adv.  
Mr. A.Subba Rao, Adv.

Ms. Sushma Suri,Adv.

No.2:Mr. Harish N. Salve, Sr. Adv.  
Mr. Maninder Singh,Adv.

Ms. Pratibha M.Singh, Adv.  
Mr. Kritiman Singh, Adv.  
Mr. Angad Midha, Adv.

for intervenor:Ms. Indira Jaising, Sr.Adv.  
Mrs. Farhun Syeed Kapra, Adv.  
Mr. Badri Prasad Singh,Adv.

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

At the threshold of the commencement of hearing, it was submitted by the learned Solicitor General and Mr.Gopal Subramaniam, learned senior counsel, appearing for Union of India, that respondent No.2 was appointed as Member of the National Human Rights Commission after consultations had taken place with the leader of the opposition in both the Houses. There is no whisper about such consultation having taken place in the counter affidavit filed by the Under Secretary, Ministry of Home Affairs, Government of India, dated 23rd March, 2004. Under these circumstances, we direct the Union of India to file affidavit of the Secretary of the Ministry, within two days, giving complete factual details leading to the appointment of respondent No.2 as Member of NHRC which is under challenge in this petition. The petitioner may file a reply to that affidavit within one week thereafter.  
List for directions on 10th August, 2004.

(N. Annapurna)  
Court Master

(V.P. Tyagi)  
Court Master