

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

WRIT PETITION (C) NO. 643 OF 2015

(UNDER ARTICLE 32 OF THE CONSTITUTION OF INDIA)

WITH

INTERLOCUTORY APPLICATION NO. 2 OF 2017

(APPLICATION SEEKING AMENDMENT OF MEMO OF PARTIES)

AND

INTERLOCUTORY APPLICATION NO. 3 OF 2017

(APPLICATION FOR EXEMPTION FROM FILING OFFICIAL TRANSLATION)

ALL INDIA JUDGES ASSN.

....PETITIONER

-VERSUS-

UNION OF INDIA & ORS.

....RESPONDENTS

OFFICE- REPORT

The writ petition above-mentioned was listed before the Hon'ble Court on 08.03.2017 with office report dated 07.03.2017, when the Court was pleased to pass the following order:

"It is brought to our notice today that all the respondents have now been served. Three newly constituted High Courts, namely, Tripura, Manipur and Meghalaya High Courts though have not been formally impleaded as parties take notice of the pendency of the matter. In fact, Ms. Sneha Kalita, standing counsel for the High Court of Manipur, Mr. Sanjai Kumar Pathak, learned counsel for the High Court of Meghalaya and Mr. Naresh K. Sharma, learned counsel for the High Court of Tripura, have appeared today and undertakes to enter their appearance within two weeks.

Prima facie, we are of the opinion, to give appropriate further directions in terms of the prayer in the writ petition, certain data is required to be collected from various States, Union of India and the concerned High Courts. Such an exercise is possible only if a body competent to collect a data is brought into existence, as it was done earlier by the orders of this Court in appointing the Shetty Commission. All the learned counsel appearing for the various parties including the learned Additional Solicitor General representing Union of India also agree for such course of action. The only question which remains is: what should be the terms of reference of such a Commission. Learned Additional Solicitor General submits that, by the next date of hearing, the Union of India will come forward with draft of the terms of reference which, in their view, would be appropriate in the context of the controversy in hand. We permit the Union of India to place such draft terms of reference by the next date of hearing. Preferably such terms of reference be supplied to all the learned counsel appearing for the various States and the writ petitioner, at least a week before the next date of hearing, to enable the respondents to examine the proposals and to come up with any suggestion which may be appropriate in the context of the matter. List the matter on 19th April, 2017 for appropriate further directions."

It is submitted that M/s. Nishant R. Katneshwarkar, Parijat Sinha, M.K. Maroria, Naresh K. Sharma, Sanjai Kumar Sharma and Guntur Prabhakar, Advocates have on 09.03.2017, 09.03.2017, 08.03.2017, 11.03.2017, 21.03.2017, 21.03.2017 and 30.03.2017 filed vakalatnama/appearance on behalf of respondent nos. 46 (State of Maharashtra), 60 (State of West Bengal), 1(Union of India, Deptt. Of Justice), High Court of Tripura, High Court of Meghalaya and respondent no. 32 (State of Andhra Pradesh), respectively, but they have not filed counter affidavit so far.

It is further submitted that Ms. Rachna Srivastava, Advocate has on 11.03.2017 filed response affidavit on behalf of respondent no. 59 viz. State of Uttarakhand (copy of the same are included in the paper books).

It is further submitted that Ms. Mayuri Raghuvanshi, Advocate has on 08.03.2017 filed an application seeking amendment of memo of parties and the same has been registered as I.A. No. 2 of 2017 (copy of the same are included in the paper books).

It is further submitted that Mr. Mukul Kumar, Advocate has on 18.04.2017 filed counter affidavit on behalf of respondent no. 29 viz. State of Uttarakhand along with an application for exemption from filing official translation with the permission of the Hon'ble Court. The application has been registered as I.A. No. (copy of the same is being circulated herewith).

It is further submitted that pursuant to the aforesaid order, counsel for Union of India has not filed the requisite document so far.

Service position and position of pleadings are as follows:

Respondent No.	Advocate	Remarks
1 (Union of India)	Mr. M.K. Maroria	Affidavit filed on 02.03.2017
2 & 3 (Registrar General, High Court of Allahabad & Registrar General, High Court of Allahabad, Lucknow Bench)	Ms. Preetika Dwivedi	Counter affidavit filed on 22.04.2016
4 (Registrar General, High Court of Andhra Pradesh)	Mr. Sudhanshu S. Chaoudhary	No counter affidavit

5 & 6 (Registrar General, High Court of Bombay & Registrar, High Court of Bombay Goa (Panaji) Bench)	Mr. A.P. Mayee	No counter affidavit
7 & 8 (Registrar General, High Court of Calcutta & Registrar General, High Court of Calcutta (Circuit Bench at Andaman & Nicobar Islands))	Mr. Kunal Chatterji	Affidavit filed on 06.03.2017
9 (Registrar General, High Court of Chhattisgarh)	Mr. Apoorv Kurup	No counter affidavit
10 (Registrar General, High Court of Delhi)	Mr. A.D.N. Rao	No counter affidavit
11 (Registrar General, High Court of Guwahati)	Mr. P.I. Jose	Counter affidavit filed on 08.06.2016 on behalf of respondent nos. 11, 13, 15 & 17
12 (Registrar General, High Court of Guwahati, Imphal bench)	Ms. Sneha Kalita	No counter affidavit
14 Registrar General, High Court of Guwahati (Agartala Bench)	Mr. Naresh K. Sharma	No counter affidavit
16 Registrar General, High Court of Guwahati (Shillong Bench)	Mr. Sanjai Kumar Pathak	No counter affidavit
18 (Registrar General, High Court of Gujarat)	Mr. Nikhil Goel	No counter affidavit
19 (Registrar General, High Court of Himachal Pradesh)	Ms. Pragati Neekhra	Counter affidavit filed on 13.04.2016
20 (Registrar General, High Court of Jammu & Kashmir)	Mr. Bharat Sangal	No counter affidavit
21 (Registrar General, High Court of Jharkhand)	Mr. Krishnanand Pandey	Counter affidavit filed on 13.04.2016

24 & 25 (Registrar General, High Court of Madras & (Registrar General, High Court of Madras (Madurai Bench))	Mr. A. Radhakrishnan	No counter affidavit
26 (Registrar General, High Court of Madhya Pradesh)	Mr. C.D. Singh	Counter affidavit filed on 02.03.2017
27 (Registrar General, High Court of Orissa)	Mr. Sibho Sankar Misra	No counter affidavit
28 (Registrar General, High Court of Punjab & Haryana)	Mr. Nikhil Nayyar	No counter affidavit
29 (Registrar General, High Court of Rajasthan)	Mr. Mukul Kumar	Counter affidavit filed on 18.04.2017
30 & 54 (Registrar General, High Court of Sikkim & State of Sikkim	M/s. Arputham Aruna & Co.	Counter affidavit filed on 29.02.2016 on behalf of respondent no. 30
31 (Registrar General, High Court of Uttarakhand)	Mr. Mukesh K. Giri	No counter affidavit
32 (State of Andhra Pradesh)	Mr. G. Prabhakar	No counter affidavit
34 (State of Assam)	Mr. V.N. Raghupathy	No counter affidavit
36 (State of Chhattisgarh)	Mr. A.P. Mayee	No Counter affidavit
37 (State of Goa)	M/s. K.J. John & Co.	No counter affidavit
38 (State of Gujarat)	Ms. Hemantika Wahi	No counter affidavit
40 (State of Himachal Pradesh)	Mr. Varinder Kumar Sharma	Reply affidavit filed on 13.04.2016
42 (State of Jharkhand)	Mr. Vishal Arun	Counter affidavit filed on 06.03.2017
43 (State of Karnataka)	V.N. Raghupathy	No counter affidavit
46 (State of Maharashtra)	Nishant R.Katneshwarkar	No counter affidavit

47 (State of Manipur)	Mr. Ashok Kumar Singh	No counter affidavit
48 (State of Meghalaya)	Mr. Ranjan Mukherjee	No counter affidavit
50 (State of Nagaland)	Ms. K. Enatoli Sema,	No counter affidavit
51 (State of Odisha)	Mr. Krishnayan Sen	No counter affidavit
52 (State of Punjab)	Mr. Devender Singh	Counter affidavit filed on 29.02.2016
53 (State of Rajasthan)	Ms. Ruchi Kohli	No counter affidavit
58 (State of Uttar Pradesh)	Mr. Abhishth Kumar	No counter affidavit
59 (State of Uttarakhand)	Ms. Rachna Srivastava	Counter affidavit filed on 11.03.2017
60 (State of West Bengal)	Mr. Parijat Sinha	No counter affidavit
61 (Union Territory of Andaman & Nicobar Islands)	Ms. G. Indira	Counter affidavit filed on 02.02.2017
66 (Union Territory of Lakshadweep)	Mr. D.S. Mahra	Counter affidavit filed on 12.02.2016
67 (Union Territory of Puducherry)	Mr. V.G. Pragasam	Counter affidavit filed on 07.12.2015

(copies of the counter affidavits are included in the paper books)

It is submitted that no one has entered appearance on behalf of the following respondents though served with notice:

S.No.

1. Respondent No. 13 (Registrar General, High Court of Guwahati (Kohima Bench))
2. Respondent No. 15 (Registrar General, High Court of Guwahati (Aizwal Bench))
3. Respondent No. 17 (Registrar General, High Court of Guwahati (Itanagar Bench))
4. Respondent No. 22 (Registrar General, High Court of Karnataka)
5. Respondent No. 23 (Registrar General, High Court of Kerala)

6. Respondent No. 33 (State of Arunachal Pradesh)
7. Respondent No. 35 (State of Bihar)
8. Respondent No. 39 (State of Haryana)
9. Respondent No. 41 (State of Jammu & Kashmir)
10. Respondent No. 44 (State of Kerala)
11. Respondent No. 45 (State of Madhya Pradesh)
12. Respondent No. 49 (State of Mizoram)
13. Respondent No. 54 (State of Sikkim)
14. Respondent No. 55 (State of Tamil Nadu)
15. Respondent No. 56 (State of Telangana)
16. Respondent No. 57 (State of Tripura)
17. Respondent No. 62 (Union Territory of Chandigarh)
18. Respondent No. 63 (Union Territory of Dadra & Nagar Haveli)
19. Respondent No. 64 (Union Territory of Daman & Diu)
20. Respondent No. 65 (Union Territory of Delhi).

Service of notice is complete.

The writ petition along with application above-mentioned is listed before the Hon'ble Court with this office report.

Dated this the 18th day of April, 2017.

ASSISTANT REGISTRAR