

ITEM NO.50

COURT NO.6

SECTION PIL(W)

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

Writ Petition(Civil) No. 196/2001

PEOPLE'S UNION FOR CIVIL LIBERTIES

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(With application for condonation of delay, direction and exemption from filing official translation, extension of time, impleadment, impleadment as party respondent, interim directions, intervention and may refer to remarks and modification of Court's order and permission and permission to file additional affidavit, permission to file additional documents, permission to file application for direction, permission to file rejoinder affidavit, permission to place additional document son record, placing additional documents and stay and office report)

WITH

SLP(C) No. 17453/2006

[MAHARASHTRA STATE COOPERATIVE CONSUMER FEDERATION LIMITED V. SHAGUN MAHILA AUDYOGIK SAHAKARI SAMITI ^& ORS.]

(With application for exemption from filing certified copy of the impugned judgment and application for exemption from filing Official Translation and prayer for interim relief and Office Report)

SLP(C) No. 1538/2009

[NAOREM PRAFFULO V. STATE OF MANIPUR & ORS.]

(With application for permission to place additional documents on record and prayer for interim relief and Office Report)

W.P.(C) No. 277/2010

[KAPILA HINGORANI V. UNION OF INDIA]

(With Office Report)

SLP(C) No. 10654/2012

[VYANKATESHWAR MAHILA AUDHYOGIKSAHAKARI SANSTHAN V.PURNIMA UPADHYAY & ORS.]

(With prayer for interim relief and Office Report)

T.C.(C) No. 78/2013

[SRI B.L. PATIL V. STATE OF KARNATAKA AND ORS.]

(With prayer for interim relief and Office Report)

SLP(C) No. 142/2013

[WEST BENGAL M.R.DISTRIBUTOR ASSOCIATION & ANR. V. STATE OF WEST

**BENGAL & ORS.]**

**(With prayer for interim relief)**

**W.P. (C) No. 618/2013**

**[ANTARRASHTRIYA MANAV ADHIKAAR NIGRAANI V. UNION OF INDIA & ORS.]**

**(With application for directions and application for exemption from filing Official Translation and Office Report)**

**W.P. (C) No. 676/2013**

**[SANJEEB PANIGRAHI V. UNION OF INDIA & ORS.]**

**(With application for exemption from filing Official Translation and Office Report)**

**W.P. (C) No. 277/2015**

**[PEOPLE'S UNION FOR CIVIL LIBERTIES V. UNION OF INDIA & OTHERS]**

**(With Office Report)**

**Date : 11/03/2016 These petitions were called on for hearing today.**

**CORAM :**

**HON'BLE MR. JUSTICE FAKKIR MOHAMED IBRAHIM KALIFULLA  
HON'BLE MRS. JUSTICE R. BANUMATHI**

**For Petitioner(s)**

**IN WP 196, 277/15  
& SLP 1538**

**Mr. Colin Gonsalves, Sr. Adv.  
Mr. Aditya Srivastava, Adv.  
Ms. Jyoti Mendiratta, A.O.R.**

**IN SLP 17453**

**Dr. Kailash Chand, A.O.R.**

**IN WP 277/2010**

**For M/s. Hingorani & Associates, Advs.**

**IN SLP 10654**

**Mr. D. M. Nargolkar, A.O.R.**

**In TC 78**

**Mr. S.S. Javali, Sr. Adv.  
Ms. J. Shreshtha, Adv.  
Mr. Ankolekar Gurudatta, A.O.R.**

**IN SLP 142**

**Mr. K. L. Janjani, A.O.R.  
Mr. Pankaj Kumar Singh, Adv.**

**IN WP 618**

**Ms. Shobha, A.O.R.  
Ms. Akanksha Kaushik, Adv.  
Mr. Shrey Dhambhare, Adv.**

IN WP 676  
Mr. Purushottam Sharma Tripathi, A.O.R.  
Mr. Mukesh Kumar Singh, Adv.  
Mr. Ravi Chandra Prakash, Adv.  
Mr. L. Nidhi Ram, Adv.  
Mr. Sagar Kumar, Adv.  
Mr. Ram Vir Singh Chiller, Adv.  
Mr. Shantanu Jugtawat, Adv.

IN WP 277  
Mr. Satya Mitra, A.O.R.

For Applicant(s)  
Mr. Huzefa Ahmadi, Sr. Adv.  
Mr. Nachiketa Joshi, A.O.R.  
Ms. Sucheta Joshi, Adv.  
Mr. Ritwiz Rishabh, Adv.

Ms. Rani Chhabra, A.O.R.  
Ms. Priyanka Sony, Adv.

In IA 140, 141  
Mr. R.K. Sanghi, Adv.  
Mr. Arun Maity, Adv.  
Mr. Satyendra Kumar, Adv.  
Mr. Anil Kumar Tandale, A.O.R.

In IA 56  
Mr. K.V. Mohan, A.O.R.  
Ms. Tessy Varghese, Adv.  
Mr. K.K. Vinosh, Adv.  
Mr. K.V. Balakrishnan, Adv.

In IA 133  
Mr. Satya Mitra, A.O.R.  
Mr. Rajeev M. Roy, Adv.

For Respondent(s)

For UOI  
Ms. Pinky Anand, A.S.G.  
Ms. V. Mohana, Sr. Adv.  
Mr. S. Wasim A. Qadri, Adv.  
Mr. Tufail A. Khan, Adv.  
Mr. Gaurav Sharma, Adv.  
Ms. Sunita Sharma, Adv.  
Mr. Neeraj Kumar Sharma, Adv.  
Mr. Atulesh Kumar, Adv.  
Mr. Sudarshan Singh Rawat, Adv.  
Mr. Zaid Ali, Adv.  
Ms. Sushma Suri, A.O.R. (in TC 78 & SLP 1538 & WP 196)  
Ms. Anil Katiyar, A.O.R. (in WP 277)  
Mr. B.V. Balaram Das, A.O.R. (in WP 676)

Mr. D.S. Mahra, A.O.R. (in WP 618)

FOR FCI Ms. Indra Sawhney, A.O.R.

FOR MCD Mr. Sanjiv Sen, Sr. Adv.  
Mr. Den Roy, Adv.  
Mr. P. Parameswaran, Adv.

For RR 5 Mr. Chandra Bhushan Prasad, A.O.R.  
Mr. Yogesh Kumar Dahiya, Adv.  
Ms. Manju Dahiya, Adv.  
Mr. Mohd. Ainul Ansari, Adv.

FOR THE STATES OF

ANDHRA PRADESH Ms. D. Bharathi Reddy, A.O.R. [NP]  
Mr. Venkateswara Rao Anumolu, A.O.R. [NP]

ARUNACHAL PRADESH Mr. Anil Shrivastav, A.O.R.  
Mr. Rituraj Biswas, Adv.

ASSAM Ms. Riku Sarma, Adv.  
Mr. Navnit Kumar, Adv.  
For M/s. Corporate Law Group, Adv.

BIHAR Mr. Gopal Singh, A.O.R.  
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Ms. Varsha Poddar, Adv.

CHHATTISGARH Mr. Aniruddha P. Mayee, A.O.R.  
Mr. A. Selvin Raja, Adv.  
Ms. Shashi Juneja, Adv.

Mr. Atul Jha, Adv.  
Mr. Sandeep Jha, Adv.  
Mr. Dharme dra Kumar Sinha, A.O.R.

GOA Ms. A.Subhashini, A.O.R.

GUJARAT Ms. Hemantika Wahi, A.O.R.  
Ms. Jesal Wahi, Adv.

HARYANA

HIMACHAL PRADESH Mr. Surya Narayana Singh, Sr. Addl. A.G.  
Ms. Pragati Neekhara, A.O.R.  
Mr. Naresh K. Sharma, A.O.R. [NP]

JAMMU & KASHMIR Mr. Sunil Fernanades, A.O.R.  
Ms. Astha Sharma, Adv.

Mr. Puneeth K.G., Adv.

**JHARKHAND**

Mr. Jayesh Gaurav, Adv.  
Mr. Gopal Prasad, A.O.R  
[IN WP 196]

Mr. Tapeshe Kumar Singh, A.O.R.  
Mr. Kumar Anurag Singh, Adv.  
Mr. Mohd. Waquas, Adv.  
[IN WP 618]

**KARNATAKA**

Mr. V.N. Raghupathy, A.O.R.  
[IN WP 196 & TC 78]

**KERALA**

Mr. Ramesh Babu M. R., A.O.R.  
Mr. G. Prakash, A.O.R. [NP]  
Ms. Bina Madhavan, AvO.R. [AP].

**MADHYA PRADESH**

Mr. Naveen Sharma, Adv.  
Mr. Mishra Saurabh, A.O.R.  
Mr. B. S. Banthia, A.O.R. [NP]

**MAHARASHTRA**

Mr. Susheel Kumar Tomar, Adv.  
Mr. P. Nishant, Adv.  
Mr. Nishant Ramakantrao Katneswarkar, A.O.R.  
Mr. Ravindra Keshavrao Adsure, A.O.R. [NP]  
Mr. Shivaji M. Jadhav, A.O.R. [NP]

**MANIPUR**

Mr. Sapam Biswajit Meitei, Adv.  
Mr. Naresh Kumar Gaur, Adv.  
Mr. Lingoingambi Thongam, Adv.  
Mr. Ashok Kumar Singh, A.O.R

**MEGHALAYA**

Mr. Ranjan Mukherjee, Adv.  
Mr. Subhro Sanyal, A.O.R.  
Mr. Ranjan Mukherjee, A.O.R. [NP]

**MIZORAM**

Mr. K.N. Madhusoodhanan, Adv.  
Mr. R. Sathish, A.O.R.

Mr. T.L.V. Ramachari, Adv.  
Mr. K.V.L. Raghvan, Adv.  
Mr. Hitesh Kumar Sharma, Adv.  
Mr. Pragyan Ojha, Adv.  
Mr. Shikhar Garg, Adv.  
Mr. P.V. Yogeswaran, Adv.

**NAGALAND**

Ms. K. Enatoli Sema, A.O.R.  
Mr. Edward Belho, Adv.  
Mr. Amit Kumar Singh, Adv.

NCT OF DELHI                    Mr. R. R. Rajesh, Adv.

ODISHA                            Mr. Pawan Upadhyay, Adv.  
                                      Mr. Nishant Kumar, Adv.  
                                      Ms. Sharmila Upadhyay, A.O.R.  
                                      [IN WP 1`96]

                                      Mr. Ashok Panigrahi, A.O.R.  
                                      Mr. Surajit Bhaduri, Adv.  
                                      Mr. Santosh Kumar, Adv.  
                                      Mr. Om Swarup, Adv.  
                                      Mr. Shibashish Misra, A.O.R. [NP]  
                                      Ms. Kirti Renu Mishra, A.O.R. [NP]  
                                      Mr. Suresh Chandra Tripathy, A.O.R. [NP]

PUNJAB                            Mr. Ajay Bansal, A.A.G.  
                                      Mr. Gaurav Yadav, Adv.  
                                      Mr. Kuldip Singh, A.O.R.

RAJASTHAN                        Mr. S.S. Shamsbery, Adv.  
                                      Mr. Amit Sharma, Adv.  
                                      Mr. Ishu Prayas, Adv.  
                                      Ms. S. Spandana Reddy, Adv.  
                                      Ms. Ruchi Kohli, A.O.R.

SIKKIM                            Ms. Aruna Mathur, Adv.  
                                      Mr. Avneesh Arputham, Adv.  
                                      Ms. Anuradha Arputham, Adv.  
                                      Mr. Yusuf Khan, Adv.  
                                      For M/s. Arputham Aruna & Co., Advs.

TAMIL NADU                        Mr. B. Balaji, A.O.R.

TELANGANA                        Mr. S. Udaya Kumar Sagar, A.O.R.  
                                      Mr. Krishna Kumar Singh, Adv.

TRIPURA                         Mr. Gopal Singh, A.O.R.  
                                      Mr. Rituraj Biswas, Adv.  
                                      Ms. Varsha Poddar, Adv.

UTTARAKHAND                      Ms. Rachna Srivastava, A.O.R.  
                                      Mr. Ashutosh Kumar Sharma, Adv.  
                                      Mr. Jatinder Kumar Bhatia, A.O.R. [NP]

UTTAR PRADESH                    Mr. M.R. Shamshad, A.O.R.  
                                      Mr. Shashank Singh, Adv.  
                                      Mr. Irshad Ahmad, A.O.R. [NP]  
                                      Mr. Pradeep Misra, A.O.R. [NP]  
                                      Mr. Rajesh Srivastava, A.O.R. [NP]

Mr. Ravi Prakash Mehrotra, A.O.R. [NP]

Mr. Gaurav Dhingra, A.O.R.  
Mr. Rajesh Kumar Maurya, Adv.  
Mr. Ashutosh Kumar Sharma, Adv.

WEST BENGAL

Mr. Soumitra G. Chaudhuri, Adv.  
Mr. Parijat Sinha, A.O.R.

FOR UNION TERRITORIES

ANDAMAN & NICOBAR Ms. G. Indira, A.O.R.

DAMAN & DIU Mr. D.S. Mahra, A.O.R.

LAKSHADWEEP Mr. D.S. Mahra, A.O.R.

CHANDIGARH Mr. D.S. mahra, A.O.R.

PUDUCHERY Mr. V.G. Pragasam, A.O.R.  
Mr. Prabu Ramasubramanian, Adv.

FOR RR 1-5 IN  
SLP 1538 Mr. Ashok Kumar Singh, A.O.R.

FOR RR1 IN SLP 10654  
Mr. Colin Gonsalves, Sr. Adv.  
Ms. Jyoti Mendiratta, A.O.R.

For RR 2 in SLP 10654  
Mr. Nishant Ramakantrao Katneshwarkar, A.O.R.

For RR 1-5 in SLP 1538  
Mr. Ashok Kumar Singh, A.O.R.  
  
Mr. Prashant Kumar, A.O.R.  
  
Mr. Shadan Farasat, A.O.R.  
Ms. Priyadarshini Sreenivasa, Adv.

Mr. T. V. George, A.O.R. [NP]

Mr. Vikas Mehta, A.O.R. [NP]

Mr. Vishwajit Singh, A.O.R. [NP]

For M/s Saharya & Co., Advs. [NP]

Ms. Sumita Hazarika, A.O.R. [NP]

Ms. Anjana Chandrashekhar, A.O.R. [NP]

Ms. Kamini Jaiswal, A.O.R. [NP]

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

WP 196

Mr. Colin Gonsalves, learned senior counsel appearing for the petitioner has taken us through an affidavit filed on 17<sup>th</sup> August, 2015 wherein it is stated that IA NO.1/20015 to 133/2013, which are 44 in number, have become infructuous in the light of the present Act namely, the Food Security Act which has come into force. Consequently, all these interlocutory applications are dismissed as having rendered infructuous.

List remaining applications on 5<sup>th</sup> April, 2016.

WP277/15

Let notice be issued in this writ petition to other respondents with reference to prayers (b) and (j) returnable on 5<sup>th</sup> April, 2016.

The counsel for the petitioner is at liberty to serve on the Standing Counsel for the respective States.

T.C. 78/13

Counsel for both sides make a common statement that this Transferred Case can be sent back to the High Court for disposal in accordance with law inasmuch as is fully seized of the case.

The Transferred Case is disposed of. The records be sent back to the High Court at the earliest.

WP 618 & 676

Ms. Shobha, learned counsel appearing for the petitioner brought to our notice that service has been effected on all the respondents i.e. Union of India as well as the respondent States and Union Territories. However, she points out that except Union of India, Bihar, Jharkhand, Sikkim and Uttarakhand other states have not come forward with their replies to this writ petition. Since service has been effected, as a last chance, four weeks' time is granted for entering appearance as well as reply, if any to the writ petition. Failing compliance of the said direction, it is made clear

that the writ petition will be heard on its own merits.

De-tag from the main matter and list these two writ petitions separately after four weeks.

[KALYANI GUPTA]  
COURT MASTER

[SHARDA KAPOOR]  
COURT MASTER

[SIGNED ORDER IN TRANSFERRED CASE NO. 78 of 2013 IS PLACED ON FILE.]



