

ITEM NO.56

COURT NO.5

SECTION XIV

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

Petition for Special Leave to Appeal (C) No.25098/2012

(Arising out of impugned final judgment and order dated 05-09-2011 in WP No.300/2007 passed by the Gauhati High Court)

CENTRAL BUREAU OF INVESTIGATION & ORS.

Petitioners

VERSUS

ABHISHEK CHANDRA @ SACHIN BESARYA & ORS.

Respondents

(IA No.116793/2019 - CLARIFICATION/DIRECTION) - LISTED

Date : 16-08-2019 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE UDAY UMESH LALIT
HON'BLE MR. JUSTICE R. SUBHASH REDDY

For Petitioner(s) Mr. K.M. Nataraj, ASG
Mr. Rajan Kumar Chourasia, Adv.
Mr. Anmol Chandan, Adv.
Mr. Sarath Nambiar, Adv.
Mr. Arvind Kumar Sharma, AOR

For Respondent(s) Mr. P.S. Patwalia, Sr. Adv.
Mrs. Priya Puri, AOR
Mr. Yati Sharma, Adv.
Ms. Srishti Sharma, Adv.

Mr. Shuvodeep Roy, AOR
Mr. Sataroop Das, Adv.

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

Pursuant to the directions issued by this Court on 14.08.2019, an affidavit, with an advance copy to the other side, has been filed by the Department of Personnel & Training (DoPT), Government of India. The affidavit is taken on record.

A letter dated 14th August 2019 addressed to the Secretary, Department of Personnel & Training, Government of India, has also been handed over by the learned counsel appearing for the State of Tripura. Said letter is also taken on record.

The stand taken by the State of Tripura is that in terms of guideline issued in the Memorandum dated 6th April 2006, vigilance clearance cannot be granted in respect of an officer against whom prosecution for criminal case is pending.

Mr. P.S. Patwalia, learned senior counsel, on the other hand, refutes the stand taken by the State of Tripura.

Without going into the merits or demerits of respective contentions, we direct that the main matter itself be taken up for hearing on 19.08.2019, as the last matter on Board. The matter shall not be adjourned on any count.

Learned counsel for the State of Tripura is directed to place on record an affidavit detailing the latest status as regards the vigilance clearance in the matter, before the next date of hearing.

(MUKESH NASA)
COURT MASTER

(SUMAN JAIN)
BRANCH OFFICER