

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Writ Petition(s)(Civil) No(s).864/2022

MUTHYALA SUNIL KUMAR

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(IA No.148678/2022 - APPROPRIATE ORDERS/DIRECTIONS, IA No.92617/2023 - CLARIFICATION/DIRECTION, IA No.148676/2022 - EX-PARTE STAY, IA No.162957/2022 - EXEMPTION FROM FILING O.T., IA No.162956/2022 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

WITH

W.P.(C) No. 638/2023 (X)
(FOR ADMISSION)

W.P.(C) No. 799/2023 (X)
(FOR ADMISSION and IA No.153233/2023-STAY APPLICATION)

W.P.(C) No. 825/2023 (X)
(FOR ADMISSION and IA No.158189/2023-EX-PARTE AD-INTERIM RELIEF)

W.P.(C) No. 836/2023 (X)
(FOR ADMISSION and IA No.159469/2023-EX-PARTE AD-INTERIM RELIEF)

W.P.(C) No. 853/2023 (X)
(FOR ADMISSION and IA No.161646/2023-GRANT OF INTERIM RELIEF)

W.P.(C) No. 783/2023 (X)
(FOR ADMISSION and IA No.149105/2023-APPROPRIATE ORDERS/DIRECTIONS)

W.P.(C) No. 756/2023 (X)
(IA No. 201798/2023 - AMENDMENT OF THE PETITION, IA No.141337/2023 - EX-PARTE AD-INTERIM RELIEF)

W.P.(C) No. 804/2023 (X)
(FOR ADMISSION and IA No.154157/2023-GRANT OF INTERIM RELIEF)

W.P.(C) No. 828/2023 (X)
(FOR ADMISSION and IA No.158996/2023-EX-PARTE AD-INTERIM RELIEF)

W.P.(C) No. 831/2023 (X)
(FOR ADMISSION and IA No.159264/2023-EX-PARTE AD-INTERIM RELIEF)

W.P.(C) No. 824/2023 (X)
(FOR ADMISSION and IA No.158186/2023-EX-PARTE AD-INTERIM RELIEF)

W.P.(C) No. 822/2023 (X)
(FOR ADMISSION and IA No.158136/2023-EX-PARTE AD-INTERIM RELIEF)

W.P.(C) No. 808/2023 (X)
(FOR ADMISSION and I.R. and IA No.155439/2023-GRANT OF INTERIM RELIEF)

W.P.(C) No. 852/2023 (X)
(FOR ADMISSION and IA No.161424/2023-GRANT OF INTERIM RELIEF)

W.P.(C) No. 815/2023 (X)
(FOR ADMISSION and IA No.156959/2023-EX-PARTE AD-INTERIM RELIEF)
W.P.(C) No. 812/2023 (X)
(FOR ADMISSION and IA No.155902/2023-EX-PARTE AD-INTERIM RELIEF)
W.P.(C) No. 816/2023 (X)
(FOR ADMISSION and IA No.156970/2023-EX-PARTE AD-INTERIM RELIEF)
W.P.(C) No. 851/2023 (X)
(FOR ADMISSION and IA No.161184/2023-GRANT OF INTERIM RELIEF)
W.P.(C) No. 819/2023 (X)
(FOR ADMISSION and IA No.157775/2023-GRANT OF INTERIM RELIEF)
W.P.(C) No. 833/2023 (X)
(FOR ADMISSION and IA No.159365/2023-GRANT OF INTERIM RELIEF)
W.P.(C) No. 835/2023 (X)
(FOR ADMISSION and IA No.159428/2023-EX-PARTE AD-INTERIM RELIEF)
W.P.(C) No. 834/2023 (X)
(FOR ADMISSION and IA No.159370/2023-GRANT OF INTERIM RELIEF)
W.P.(C) No. 820/2023 (X)
(FOR ADMISSION and IA No.157996/2023-GRANT OF INTERIM RELIEF)
W.P.(C) No. 859/2023 (X)
(FOR ADMISSION and IA No.162267/2023-GRANT OF INTERIM RELIEF)
W.P.(C) No. 857/2023 (X)
(FOR ADMISSION and IA No.162046/2023-EX-PARTE AD-INTERIM RELIEF)
W.P.(C) No. 865/2023 (X)
(FOR ADMISSION and IA No.163519/2023-GRANT OF INTERIM RELIEF)
W.P.(C) No. 832/2023 (X)
(FOR ADMISSION and IA No.159270/2023-EX-PARTE AD-INTERIM RELIEF)
W.P.(C) No. 855/2023 (X)
(FOR ADMISSION and IA No.162021/2023-GRANT OF INTERIM RELIEF)
W.P.(C) No. 898/2023 (X)
(FOR ADMISSION and IA No.170815/2023-EXEMPTION FROM FILING O.T.)
W.P.(C) No. 879/2023 (X)
(FOR ADMISSION and IA No.165562/2023-STAY APPLICATION)
W.P.(C) No. 872/2023 (X)
(FOR ADMISSION)
W.P.(C) No. 894/2023 (X)
(FOR ADMISSION and IA No.169905/2023-EX-PARTE AD-INTERIM RELIEF)
W.P.(C) No. 892/2023 (X)
(FOR ADMISSION and IA No.168740/2023-GRANT OF INTERIM RELIEF)
W.P.(C) No. 891/2023 (X)
(FOR ADMISSION and IA No.168616/2023-GRANT OF INTERIM RELIEF)
W.P.(C) No. 955/2023 (X)
(FOR ADMISSION and IA No.181814/2023-GRANT OF INTERIM RELIEF)
W.P.(C) No. 953/2023 (X)
(FOR ADMISSION and IA No.181533/2023-GRANT OF INTERIM RELIEF)
W.P.(C) No. 949/2023 (X)
(FOR ADMISSION and IA No.180837/2023-GRANT OF INTERIM RELIEF)
W.P.(C) No. 950/2023 (X)
(FOR ADMISSION and IA No.180911/2023-GRANT OF INTERIM RELIEF)
W.P.(C) No. 956/2023 (X)
(FOR ADMISSION and IA No.181912/2023-STAY APPLICATION)
W.P.(C) No. 957/2023 (X)
(FOR ADMISSION and IA No.181914/2023-GRANT OF INTERIM RELIEF)

W.P.(C) No. 923/2023 (X)
 (FOR ADMISSION and IA No.177495/2023-GRANT OF INTERIM RELIEF)
 W.P.(C) No. 935/2023 (X)
 (FOR ADMISSION and IA No.179266/2023-STAY APPLICATION)
 W.P.(C) No. 947/2023 (X)
 (FOR ADMISSION and IA No.180713/2023-GRANT OF INTERIM RELIEF)
 W.P.(C) No. 969/2023 (X)
 (FOR ADMISSION and IA No.183193/2023-STAY APPLICATION)
 W.P.(C) No. 964/2023 (X)
 (FOR ADMISSION and IA No.182861/2023-STAY APPLICATION and IA
 No.182866/2023-APPROPRIATE ORDERS/DIRECTIONS)
 W.P.(C) No. 970/2023 (X)
 (FOR ADMISSION and IA No.183780/2023-GRANT OF INTERIM RELIEF)
 W.P.(C) No. 988/2023 (X)
 (FOR ADMISSION and IA No.187601/2023-GRANT OF INTERIM RELIEF)
 W.P.(C) No. 981/2023 (X)
 (FOR ADMISSION and IA No.186368/2023-GRANT OF INTERIM RELIEF)
 W.P.(C) No. 975/2023 (X)
 (FOR ADMISSION and IA No.185527/2023-EX-PARTE AD-INTERIM RELIEF)
 W.P.(C) No. 992/2023 (X)
 (FOR ADMISSION and IA No.188539/2023-GRANT OF INTERIM RELIEF)
 W.P.(C) No. 996/2023 (X)
 (FOR ADMISSION and IA No.188704/2023-GRANT OF INTERIM RELIEF
 IA No. 188704/2023 - GRANT OF INTERIM RELIEF)
 W.P.(C) No. 984/2023 (X)
 (FOR ADMISSION and IA No.187044/2023-GRANT OF INTERIM RELIEF)
 W.P.(C) No. 995/2023 (X)
 (FOR ADMISSION and IA No.188703/2023-GRANT OF INTERIM RELIEF
 IA No. 188703/2023 - GRANT OF INTERIM RELIEF)
 W.P.(C) No. 998/2023 (X)
 (FOR
 FOR GRANT OF INTERIM RELIEF ON IA 189436/2023
 IA No. 189436/2023 - GRANT OF INTERIM RELIEF)
 W.P.(C) No. 993/2023 (X)
 (FOR ADMISSION and IA No.188635/2023-GRANT OF INTERIM RELIEF
 IA No. 188635/2023 - GRANT OF INTERIM RELIEF)
 W.P.(C) No. 1007/2023 (X)
 (FOR ADMISSION and IA No.190137/2023-GRANT OF INTERIM RELIEF)
 W.P.(C) No. 1002/2023 (X)
 (FOR ADMISSION and IA No.189559/2023-EX-PARTE STAY)
 W.P.(C) No. 1010/2023 (X)
 (FOR ADMISSION and IA No.190460/2023-STAY APPLICATION)
 W.P.(C) No. 1015/2023 (X)
 (FOR ADMISSION and IA No.191132/2023-GRANT OF INTERIM RELIEF)
 W.P.(C) No. 1031/2023 (X)
 (FOR ADMISSION and IA No.193203/2023-EX-PARTE STAY)
 W.P.(C) No. 1000/2023 (X)
 (FOR ADMISSION and IA No.189505/2023-GRANT OF INTERIM RELIEF)
 W.P.(C) No. 1033/2023 (X)
 (FOR ADMISSION and IA No.193583/2023-GRANT OF INTERIM RELIEF)
 W.P.(C) No. 1043/2023 (X)
 (FOR ADMISSION and IA No.195029/2023-GRANT OF INTERIM RELIEF)

W.P.(C) No. 1039/2023 (X)
(FOR ADMISSION and IA No.194377/2023-GRANT OF INTERIM RELIEF)
W.P.(C) No. 1058/2023 (X)
(FOR ADMISSION and IA No.197422/2023-GRANT OF INTERIM RELIEF)
W.P.(C) No. 1064/2023 (X)
(FOR ADMISSION and IA No.198112/2023-STAY APPLICATION)
W.P.(C) No. 1047/2023 (X)
(FOR ADMISSION and IA No.195514/2023-STAY APPLICATION)
W.P.(C) No. 1059/2023 (X)
(FOR ADMISSION and IA No.197437/2023-STAY APPLICATION)
W.P.(C) No. 1066/2023 (X)
(FOR ADMISSION and IA No.198760/2023-EX-PARTE AD-INTERIM RELIEF)
W.P.(C) No. 1034/2023 (X)
(FOR ADMISSION and IA No.193760/2023-STAY APPLICATION and IA
No.193763/2023-CLARIFICATION/DIRECTION)
W.P.(C) No. 1092/2023 (X)
(FOR ADMISSION and IA No.201007/2023-GRANT OF INTERIM RELIEF)
W.P.(C) No. 1119/2023 (X)
(FOR ADMISSION and IA No.205119/2023-GRANT OF INTERIM RELIEF)
W.P.(C) No. 1103/2023 (X)
(FOR ADMISSION and IA No.202739/2023-GRANT OF INTERIM RELIEF)
W.P.(C) No. 1104/2023 (X)
(FOR ADMISSION and IA No.202746/2023-GRANT OF INTERIM RELIEF)
W.P.(C) No. 1105/2023 (X)
(FOR ADMISSION and IA No.203057/2023-GRANT OF INTERIM RELIEF)

Item No.15

Writ Petition(s)(Civil) No(s).1112/2023
(FOR ADMISSION and IA No.204056/2023-GRANT OF INTERIM RELIEF)
W.P.(C) No.1115/2023 (X)
(FOR ADMISSION and IA No.204715/2023-GRANT OF INTERIM RELIEF)
W.P.(C) No.1125/2023 (X)
(FOR ADMISSION and IA No.206369/2023-STAY APPLICATION)
W.P.(C) No.1138/2023 (X)
(FOR ADMISSION and IA No.208026/2023-GRANT OF INTERIM RELIEF)
W.P.(C) No.1127/2023 (X)
(FOR ADMISSION and IA No.206447/2023-STAY APPLICATION)

Item No.44

W.P(C) No.1139/2023
(IA No.208034/2023-GRANT OF INTERIM RELIEF)
W.P.(C) No. 1143/2023 (X)
(FOR ADMISSION and IA No.208845/2023-GRANT OF INTERIM RELIEF)
W.P.(C) No. 1144/2023 (PIL-W)
(FOR ADMISSION and IA No.208872/2023-GRANT OF INTERIM RELIEF)
W.P.(C) No. 1147/2023 (X)
(FOR ADMISSION and IA No.210844/2023-EX-PARTE AD-INTERIM RELIEF)

Item No.45

**W.P.(C) No(s).1156/2023
(FOR ADMISSION and IA No.213219/2023-GRANT OF INTERIM RELIEF)**

Item No.46

**W.P.(C) No(s).1152/2023
(FOR ADMISSION and IA No.212055/2023-STAY APPLICATION)**

Date : 13-10-2023 These matters were called on for hearing today.

CORAM :

**HON'BLE MR. JUSTICE SURYA KANT
HON'BLE MR. JUSTICE DIPANKAR DATTA**

**For Petitioner(s) Mr. Dileep Poolakkot, Adv.
Mr. Muhammed Siddick, Adv.
Mr. Bijo Mathew Joy, AOR**

**Mr. Shine P. Sasidhar, Adv.
Mr. Greesh Kumar, Adv.
M/s. Lead Counsel, AOR**

Mr. Aakash Nandolia, AOR

**Mr. Gaurav Pachnanda, Sr. Adv.
Mr. S. Udaya Kumar Sagar, Adv.
Mr. Varun Sriniwasn, Adv.
Ms. Bina Madhavan, Adv.
Mr. Eeshan D Khaire, Adv.
Mr. Lakshay Saini, Adv.
M/s. Lawyer S Knit & Co, AOR**

**Mr. S. Mahesh Sahasranaman, Adv.
Mr. Arjun Garg, AOR
Mr. Aakash Nandolia, AOR
Ms. Sagun Srivastava, Adv.
Ms. Shreya Bansal, Adv.
Mr. Aniket Singh, Adv.**

**Mr. Manoj V George, Adv.
Ms. Shilpa Liza George, AOR
Mr. Km Vignesh Ram, Adv.
Mr. Nasib Masih, Adv.
Ms. Akshita Agarwal, Adv.
Ms. Darshna Nair, Adv.**

**Ms. Haripriya Padmanabhan, Adv.
Ms. Haripriya Padmanaban, Adv.
Mr. Raghunatha Sethupathy B, AOR
Mr. S. Sabari Bala Pandian, Adv.**

Ms. Tanya Srivastava, Adv.
Mr. Santhosh K, Adv.

Mr. N. Sai Vinod, AOR
Mr. Abhinav, Adv.
Mr. Sahil Ghai, Adv.

Mr. T. Harish Kumar, AOR
Mr. Navneet Dugar, Adv.
Mr. Subham Kothari, Adv.
Ms. Preethi G, Adv.

Mr. M. Gireesh Kumar, Adv.
Mr. Ankur S. Kulkarni, AOR
Mr. Priya S. Bhalerao, Adv.

Ms. Bina Madhavan, Adv.
Mr. S. Udaya Kumar Sagar, Adv.
Mr. Eeshan D. Khaire, Adv.
Mr. Lakshay Saini, Adv.
M/s. Lawyer S Knit & Co, AOR

Mr. Manoj V George, Adv.
Ms. Shilpa Liza George, AOR
Mr. Km Vignesh Ram, Adv.
Mr. Nasib Masih, Adv.
Ms. Darshna Nair, Adv.
Ms. Akshita Agarwal, Adv.

Mr. Arjun Garg, AOR

Mr. Dileep Poolakkat, Adv.
Mr. Mohd. Siddick, Adv.
Mr. Aljo K. Joseph, AOR

Mr. Dileep Poolakkot, Adv.
Mr. Muhammed Siddick, Adv.
Mr. Bijo Mathew Joy, AOR

Mr. Raghenth Basant, Adv.
Mr. N. Sai Vinod, AOR

For Respondent(s) Mr. Balbir Singh, A.S.G.
Mr. Gurmeet Singh Makker, AOR
Ms. Rekha Pandey, Adv.
Mr. Naman Tandon, Adv.
Ms. Monica Benjamin, Adv.
Mr. Bhuvan Kapoor, Adv.
Mr. Zoheb Hossain, Adv.
Mr. Manish Pushkarna, Adv.

Ms. G. Indira, AOR

Mr. Mahfooz Ahsan Nazki, AOR
Mr. Polanki Gowtham, Adv.
Mr. Kv Girish Chowdary, Adv.
Mr. T Vijaya Bhaskar Reddy, Adv.
Ms. Rajeswari Mukherjee, Adv.

Mr. V. N. Raghupathy, AOR
Mr. Manendra Pal Gupta, Adv.
Mr. Varun Varma, Adv.
Ms. Prerana Priyanshu, Adv.
Mr. M. Bangaraswamy, Adv.
Mr. S. Shashank Reddy, Adv.
Mr. Anurag M. Katarki, Adv.

Mr. Nishe Rajen Shonker, AOR
Mrs. Anu K Joy, Adv.
Mr. Abraham Mathew, Adv.
Mr. Alim Anvar, Adv.

Mr. Sriharsha Peechara, Adv.
Mr. Duvvuri Subrahmanya Bhanu, Adv.
Ms. Pallavi, Adv.
Mr. Kriti Sinha, Adv.
Mr. Rajiv Kumar Choudhry , AOR

Mr. Sahil Bhalai, AOR

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

Item No.39

W.P.(s)(C) No.864/2022 & connected matters

1. Mr. Balbir Singh, learned Additional Solicitor General of India seeks and is granted three weeks time to file counter affidavit.
2. Learned standing counsel for the States, who are yet to file the counter affidavit, also seek and are granted three weeks time to do the needful.
3. It is clarified that the counter affidavits may be filed only in one lead case.
4. Rejoinder affidavits, if any, may be filed within two weeks' thereafter.
5. Post these matters for hearing on 21.11.2023.
6. Interim order to continue.

Item No.15

**W.P.(C) No.1112/2023, W.P.(C) No.1115/2023, W.P.(C) No.1125/2023,
W.P.(C) No.1138/2023, W.P.(C) No.1127/2023**

1. Issue notice, returnable on 21.11.2023.
2. Tag with W.P.(C) No.864/2022.
3. Meanwhile, the States of Tamil Nadu, Kerala, Karnataka and Telangana are restrained from levying border tax on the vehicles owned by the petitioners for which a valid All India Tourist Bus permit has been granted.

Item No.44

**W.P(C) No.1139/2023, W.P.(C) No.1143/2023, W.P.(C) No.1144/2023,
W.P.(C) No.1147/2023**

1. Issue notice, returnable on 21.11.2023.
2. Tag with W.P.(C) No.864/2022.
3. Meanwhile, the States of Tamil Nadu, Kerala and Karnataka are restrained from levying border tax on the vehicles owned by the petitioners for which a valid All India Tourist Bus permit has been granted.

Item No.45

W.P.(C) No(s).1156/2023

1. Issue notice, returnable on 21.11.2023.
2. Tag with W.P.(C) No.864/2022.
3. Meanwhile, the States of Kerala and Karnataka are restrained from levying border tax on the vehicles owned by the petitioners for which a valid All India Tourist Bus permit has been granted.

Item No.46

W.P.(C) No(s).1152/2023

1. Issue notice, returnable on 21.11.2023.
2. Tag with W.P.(C) No.864/2022.
3. Meanwhile, the States of Tamil Nadu, Kerala, Karnataka and Telangana are restrained from levying border tax on the vehicles

owned by the petitioners for which a valid All India Tourist Bus permit has been granted.

(ARJUN BISHT)
COURT MASTER (SH)

(RENU BALA GAMBHIR)
COURT MASTER (NSH)