

REVISED

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION  
CIVIL APPEAL NOS.5347-5358/2012 @  
SPECIAL LEAVE PETITION (Civil) NOS.13182-13193 OF 2012

MAYA RAM AZAD & ORS. ETC.

Appellant(s)

VERSUS

STATE OF U.P. & ORS. ETC.

Respondent(s)

WITH

SLP(C) NO.4042-4043/2012,  
CIVIL APPEAL NO.5346/2012 @ SLP(C) NO. 11932 of 2012,  
CIVIL APPEAL NOS.5359-5364/2012 @ SLP(C) NOS. 13210-13215 of 2012,  
CIVIL APPEAL NO.5365/2012 @ SLP(C) NO. 14226 of 2012,  
CIVIL APPEAL NO.5366/2012 @ SLP(C) NO. 13256 of 2012,  
CIVIL APPEAL NOS.5369-5370/2012 @ SLP(C) NOS. 14228-14229 of 2012,  
CIVIL APPEAL NO.5371/2012 @ SLP(C) NO. 17678 of 2012,  
CIVIL APPEAL NO.5373/2012 @ SLP (C) NO.20561/2012  
@ CC NO.10605/2012,  
CIVIL APPEAL NO.5374/2012 @ SLP (C) NO.20562/2012  
@ CC NO.9941/2012,  
CIVIL APPEAL NO.5375/2012 @ SLP (C) NO.21660/2012  
@ CC NO.11722/2012,  
CIVIL APPEAL NOS.5376-5381/2012 @ SLP (C) NOS.13957-13962/2012,  
CIVIL APPEAL NOS.5382-5385/2012 @ SLP (C) NOS.14053-14056/2012,  
CIVIL APPEAL NO.5386/2012 @ SLP (C) NO.14152/2012,  
CIVIL APPEAL NO.5387/2012 @ SLP (C) NO.21665/2012  
@ CC NO.9633/2012,  
CIVIL APPEAL NO.5388/2012 @ SLP (C) NO.21669/2012  
@ CC NO.9893/2012  
CIVIL APPEAL NO.5390/2012  
@ SLP(C).21670/2012 @ I.A. NOS.1-3 IN & CC No.11056/2012,  
CIVIL APPEAL NO.5391/2012 @ SLP (C) NO.21672/2012  
@ CC NO.8504/2012,  
CIVIL APPEAL NO.5392/2012 @ SLP(C) NO.15360/2012,  
CIVIL APPEAL NO.5393/2012 @ SLP (C) NO.21674/2012  
@ CC NO.12082/2012,  
CIVIL APPEAL NO.5394/2012 @ SLP (C) NO.14633/2012,  
CIVIL APPEAL NOS.5395-5396/2012  
@ SLP (C) NOS.21676-21677/2012 @ CC NO.12104-12105/2012

O R D E R

SLP(C) NO.4042-4043/2012

Counsel appearing for the State of U.P. seeks leave to withdraw these Special Leave Petitions filed by the State in view of the policy decision of the State that they wish to implement the judgment of the High Court in its entirety and would continue to adopt the same policy in future as well.

These special leave petitions are, accordingly, dismissed as withdrawn.

CIVIL APPEAL NO.5346/2012 @ SLP(C) NO. 11932 of 2012, CIVIL APPEAL NOS.5359-5364/2012 @ SLP(C) NOS. 13210-13215 of 2012, CIVIL APPEAL NO.5365/2012 @ SLP(C) NO. 14226 of 2012, CIVIL APPEAL NO.5366/2012 @ SLP(C) NO. 13256 of 2012, CIVIL APPEAL NOS.5369-5370/2012 @ SLP(C) NOS. 14228-14229 of 2012, CIVIL APPEAL NO.5371/2012 @ SLP(C) NO. 17678 of 2012, CIVIL APPEAL NO.5373/2012 @ SLP (C) NO.20561/2012 @ CC NO.10605/2012, CIVIL APPEAL NO.5374/2012 @ SLP (C) NO.20562/2012 @ CC NO.9941/2012, CIVIL APPEAL NO.5375/2012 @ SLP (C) NO.21660/2012 @ CC NO.11722/2012, CIVIL APPEAL NOS.5376-5381/2012 @ SLP (C) NOS.13957-13962/2012, CIVIL APPEAL NOS.5382-5385/2012 @ SLP (C) NOS.14053-14056/2012, CIVIL APPEAL NO.5386/2012 @ SLP (C) NO.14152/2012, CIVIL APPEAL NO.5387/2012 @ SLP (C) NO.21665/2012 @ CC NO.9633/2012, CIVIL APPEAL NO.5388/2012 @ SLP (C) NO.21669/2012 @ CC NO.9893/2012, CIVIL APPEAL NO.5390/2012 @ SLP(C).21670/2012 @ I.A. NOS.1-3 IN & CC No.11056/2012, CIVIL APPEAL NO.5391/2012 @ SLP (C) NO.21672/2012 @ CC NO.8504/2012, CIVIL APPEAL NO.5392/2012 @ SLP(C) NO.15360/2012, CIVIL APPEAL NO.5393/2012 @ SLP (C) NO.21674/2012 @ CC NO.12082/2012, CIVIL APPEAL NO.5394/2012 @ SLP (C) NO.14633/2012, CIVIL APPEAL NOS.5395-5396/2012 @ SLP (C) NOS.21676-21677/2012 @ CC NO.12104-12105/2012

Permission to file special leave petitions is granted.  
Delay condoned.  
Leave granted.

All these appeals by special leave are directed against the judgments of the High Court dated 6.1.2012, 11.1.2012, 12.1.2012 and 9.2.2012 on similar lines. Vide these impugned judgments, the High Court had declared certain amendments made by the State of Uttar Pradesh to the provisions of Criminal Procedure Code as unconstitutional and consequently directed that the appointments made to the posts of Addl. District Government Counsels (ADGCs) and District Government Counsels (DGCs) etc., without consultation with the High Court and/or the District and Sessions Judge, as the case may be, should be set aside and the vacancies so caused shall be filled in accordance with the old L.R. Manual and the provisions of the Criminal Procedure Code where such consultation is necessary.

Various Special Leave Petitions have been filed against these judgments.

These appeals by special leave have been filed by the private parties who were respondents in the writ petitions before the High Court and had been appointed in furtherance to the amendments carried out in the Code which have been declared as unconstitutional by the High Court. All these appeals have been heard by us at some length.

We may notice that the primary contention raised before us is not with regard to the constitutional validity or otherwise of the amended provisions of the Criminal Procedure Code but the contention is that the State Government despite its policy decision is not implementing the judgment of the High Court in its true spirit and substance. To substantiate such a plea, the argument is that the High Court had specifically directed in Clause (15) in para 248 as well as Clauses (2) & (4) in para 253 (operative part of the judgment) that the cases of the persons in position should be reconsidered in accordance with the provisions contained in the L.R. Manual as well as that the District Government Counsel could not be removed even under existing L.R. Manual without considering their case for renewal.

To the contra, the argument raised before the High Court is that this clause is applicable only to that class of persons and not to the private respondents before the High Courts and appellants herein.

Since there is unanimity of the view that the judgment of the High Court is required to be implemented in true spirit and

substance, we consider it necessary to issue certain clarifications with regard to the judgment in question and despite the fact that the State Government has chosen to withdraw the Special Leave Petition against the judgment and has taken a policy decision to implement the same. The directions are:-

(1) In terms of the above referred clauses of the judgment of the High Court, the vacancies which have already been filled in accordance with Section 24 of the Criminal Procedure Code and certain provisions of the L.R. Manual and unamended provisions of the Criminal Procedure Code. To be more specific, i.e., the appointments which have been made in consultation with the High Court and/or the District and Sessions Judge of the respective district and who continue to function in the respective posts shall not be disturbed.

(2) Against the existing vacancies the cases of all the appellants herein, who are in service or are out of service as well as any of the petitioners before the High Courts, whose services were terminated at any point of time including the persons who had filed writ petitions in the High Court during the pendency of the writ petition and/or the present civil appeals shall be considered for renewal/reconsideration in accordance with the judgment of this Court within a period of three months from today.

(3) For implementation of these directions the Secretary, Department of Law and Justice, State Government, shall be personally responsible and should complete the exercise within the stipulated period to ensure that required number of public prosecutors are present in the Courts for expeditious disposal of cases.

The renewal/reconsideration/appointment shall be done by the concerned authority in the above manner. We would clarify that all the appointments either directly or by way of renewal/reconsideration shall only be made in consultation with the High Court and/or the District and Sessions Judges as the case may be. All concerned shall duly abide, and without default, with the process of selection and appointment, as afore-stated.

All the I.As and appeals are, accordingly, disposed of.

.....J.  
[SWATANTER KUMAR]

.....J.  
[FAKKIR MOHAMED IBRAHIM KALIFULLA]

NEW DELHI;  
JULY 17, 2012

REVISÉD  
ITEM NOS.5, 7, 1 & 6 COURT NO.13 SECTION XI

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

C.A. Nos..... @  
Petition(s) for Special Leave to Appeal (Civil) No(s).13182-13193/2012

(From the common judgement and order dated 06/01/2012 in WP Nos.4457 to 4459, 4316, 4412, 4314, 4417, 4183, 4419, 4445, 4256 and 4443 of 2011 of The HIGH COURT OF ALLAHABAD AT LUCKNOW)

MAYA RAM AZAD & ORS. ETC.

Appellant(s)

VERSUS

STATE OF U.P. & ORS. ETC.

Respondent(s)

(With appln(s) for stay/direction and exemption from filing O.T. and with prayer for interim relief and office report),

WITH

SLP(C) Nos.4042-4043/2012

(With appln(s) for permission to file lengthy list of dates and stay and impleadment as party respondent and exemption from filing O.T. and impleadment as petitioner and vacating interim order with interim relief and office report),

CIVIL APPEAL NO.....@ SLP(C) NO. 11932 of 2012

(With appln(s) for permission to file lengthy list of dates and impleadment and directions and impleadment/directions and prayer for interim relief and office report),

CIVIL APPEAL NOS.....@ SLP(C) NOS. 13210-13215 of 2012

(With appln(s) for deletion of proforma respondents and stay/direction and exemption from filing O.T. and with prayer for interim relief and office report),

CIVIL APPEAL NO.....@ SLP(C) NO. 14226 of 2012

(With prayer for interim relief and office report),

CIVIL APPEAL NO.....@ SLP(C) NO. 13256 of 2012

(With appln(s) for stay/direction and exemption from filing O.T. and with prayer for interim relief and office report),

CIVIL APPEAL NOS.....@ SLP(C) NOS. 14228-14229 of 2012

(With prayer for interim relief and office report),

CIVIL APPEAL NO.....@ SLP(C) NO. 17678 of 2012

(With office report),

CIVIL APPEAL NO.....@ SLP(C) NO..... @ CC NO. 10605/2012 (With office report),

CIVIL APPEAL NO.....@ SLP (C) NO..... @ CC

NO.9941/2012 (With office report),

CIVIL APPEAL NO.....@ SLP (C) NO..... @

CC NO.11722/2012 (With appln(s) for c/delay in filing SLP and office report),

CIVIL APPEAL NOS.....@ SLP (C) NOS.13957-13962/2012

(With appln(s) for exemption from filing O.T. and exemption from filing c/c of the impugned judgment and stay/direction and exemption from filing O.T. and with prayer for interim relief and office report),

CIVIL APPEAL NOS.....@ SLP (C) NOS.14053-14056/2012

(With appln(s) for exemption from filing O.T. and exemption from filing c/c of the impugned judgment and with prayer for interim relief and office report),

CIVIL APPEAL NO.....@ SLP (C) NO.14152/2012

(With appln(s) for exemption from filing O.T. and stay/direction and exemption from filing O.T. and with prayer for interim relief and office report),

CIVIL APPEAL NO.....@ SLP (C) NO..... @

CC NO.9633/2012 (With appln(s) for permission to file SLP and stay/direction and office report),

CIVIL APPEAL NO.....@ SLP (C) NO..... @

CC NO.9893/2012 (With appln(s) for permission to file SLP and office report),

CIVIL APPEAL NO.....@ SLP(C)...../2012

@ I.A. NOS.1-3 IN & CC No.11056/2012 (With appln(s) for permission to file SLP and office report),

CIVIL APPEAL NO.....@ SLP (C) NO..... @ CC

NO.8504/2012 (With appln(s) for permission to file SLP, and with prayer for interim relief and office report),

CIVIL APPEAL NO.....@ SLP(C) NO.15360/2012

(With appln(s) for exemption from filing c/c of the impugned judgment and with prayer for interim relief and office report),

CIVIL APPEAL NO.....@ SLP (C) NO..... @ CC

NO.12082/2012 (With appln(s) for permission to file SLP and office

report),  
CIVIL APPEAL NO.....@ SLP (C) NO.14633/2012  
(With appln(s) for permission to file additional documents and with  
prayer for interim relief and office report),  
CIVIL APPEAL NOS.....@ SLP (C) NOS..... @  
CC NO.12104-12105/2012 (With appln(s) for c/delay in filing SLP and  
c/delay in refiling SLP and office report)

Date: 17/07/2012 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SWATANTER KUMAR  
HON'BLE MR. JUSTICE FAKKIR MOHAMED IBRAHIM KALIFULLA

For the parties Mr. S.R. Singh, Sr. Adv.

Mr. Sunil Gupta, Sr. Adv.  
Mr. Vikrant Yadav, Adv.  
Mr. Gaurav Dhingra, Adv.  
Mr. S.R.S. Yadav, Adv.  
Mr. A. Sharma, Adv.

Dr. J.N. Dubey, Sr. Adv.  
Mr. Anurag Dubey, Adv.  
Mr. Rajesh Pathak, Adv.  
Mr. S.R. Setia, Adv.  
Mr. Meenesh Dubey, Adv.  
Mr. Rajesh Pandey, Adv.  
Mr. Anil Bhatt, Adv.

Ms. Sandhya Goswami, Adv.  
Mr. M.P.S. Tomar, Adv.  
Mr. Jabar Singh, Adv.

Mr. Shekhar Raj Sharma, Adv.  
Mr. Shekhar Kumar, Adv.

Mr. P.K. Jain, Adv.  
Mr. Saurabh Jain, Adv.  
Mr. P.K. Goswami, Adv.

Mr. Manoj Goel, Adv.  
Mr. Shuvodeep Roy, Adv.  
Mr. Umesh Joshi, Adv.  
Mr. Gopal Verma, Adv.  
Mr. Shashank Kathuria, Adv.

Mr. Anoop Kumar Srivastava, Adv.

Mr. Sanjay Kumar Singh, Adv.  
Mr. Siddharth Sengar, Adv.

Mr. Mahabir Singh, Sr. Adv.  
Mr. Ranbir Yadav, Adv.  
Ms. Anzu K. Varkey, Adv.

Mr. R.S. Suri, Sr. Adv.  
Mr. Vikas K. Singh, Adv.  
Mr. Umang Tripathi, Adv.  
Mr. Mukesh K. Giri, Adv.

Mr. Vinay Kumar Das, Adv.  
Mr. Bipin Jha, Adv.  
Mr. Shekhar Prit Jha, Adv.

Mr. M.P. Shorawala, Adv.

Ms. Jyoti Saxena,Adv.

Mr. Anil Shrivastav,Adv.

Mr. Kamlendra Mishra,Adv.

Mr. Shuvodeep Roy,Adv.

Mr. Ranbir Singh Yadav,Adv.

Mr. T.N. Singh,Adv.

Ms. Mukti Chowdhary,Adv.

Mr. Ansar Ahmad Chaudhary,Adv.

Mr. Shekhar Kumar,Adv.

Ms. Kusum Chaudhary,Adv.

Mr. Aftab Ali Khan,Adv.

Mr. Deepak Goel,Adv.

UPON hearing counsel the Court made the following

O R D E R

I.A. No.9 in SLP(C) No.11932/2012

Learned counsel appearing for the applicants in Civil Appeal No..... @ SLP(C) No.11932 of 2012 seeks leave to withdraw the application for impleadment (I.A. No.9) with liberty to take recourse of appropriate remedy, as may be permissible in accordance with law, particularly in view of the fact that earlier the special leave petition was withdrawn with liberty against the same judgment.

Accordingly, the application for impleadment is dismissed as withdrawn with liberty as prayed.

SLP(C) NO.4042-4043/2012

Counsel appearing for the State of U.P. seeks leave to withdraw these Special Leave Petitions filed by the State in view of the policy decision of the State that they wish to implement the judgment of the High Court in its entirety and would continue to adopt the same policy in future as well.

These special leave petitions are, accordingly, dismissed as withdrawn.

CIVIL APPEAL NO.5346/2012 @ SLP(C) NO. 11932 of 2012, CIVIL APPEAL NOS.5359-5364/2012 @ SLP(C) NOS. 13210-13215 of 2012, CIVIL APPEAL NO.5365/2012 @ SLP(C) NO. 14226 of 2012, CIVIL APPEAL NO.5366/2012 @ SLP(C) NO. 13256 of 2012, CIVIL APPEAL NOS.5369-5370/2012 @ SLP(C) NOS. 14228-14229 of 2012, CIVIL APPEAL NO.5371/2012 @ SLP(C) NO. 17678 of 2012, CIVIL APPEAL NO.5373/2012 @ SLP (C) NO.20561/2012 @ CC NO.10605/2012, CIVIL APPEAL NO.5374/2012 @ SLP (C) NO.20562/2012 @ CC NO.9941/2012, CIVIL APPEAL NO.5375/2012 @ SLP (C) NO.21660/2012 @ CC NO.11722/2012, CIVIL APPEAL NOS.5376-5381/2012 @ SLP (C) NOS.13957-13962/2012, CIVIL APPEAL NOS.5382-5385/2012 @ SLP (C) NOS.14053-14056/2012, CIVIL APPEAL NO.5386/2012 @ SLP (C) NO.14152/2012, CIVIL APPEAL NO.5387/2012 @ SLP (C) NO.21665/2012 @ CC NO.9633/2012, CIVIL APPEAL NO.5388/2012 @ SLP (C) NO.21669/2012 @ CC NO.9893/2012, CIVIL APPEAL NO.5390/2012 @ SLP(C).21670/2012 @ I.A. NOS.1-3 IN & CC No.11056/2012, CIVIL APPEAL NO.5391/2012 @ SLP (C) NO.21672/2012 @ CC NO.8504/2012, CIVIL APPEAL NO.5392/2012 @ SLP(C) NO.15360/2012, CIVIL APPEAL NO.5393/2012 @ SLP (C) NO.21674/2012 @ CC NO.12082/2012, CIVIL APPEAL NO.5394/2012 @ SLP (C) NO.14633/2012, CIVIL APPEAL NOS.5395-5396/2012 @ SLP (C) NOS.21676-21677/2012 @ CC NO.12104-12105/2012

Permission to file special leave petitions is granted.

Delay condoned.  
Leave granted.  
All the I.As and appeals are disposed of in terms of the  
signed order.

| (NARENDRA PRASAD) | | (RENUKA SADANA) |  
| COURT MASTER | | COURT MASTER |

(Revised Signed order is placed on the file)

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION  
SPECIAL LEAVE PETITION (Civil) NOS.4042-4043 OF 2012

STATE OF U.P. & ORS. Petitioner (s)

VERSUS

SADHANA SHARMA Respondent (s)

WITH

CIVIL APPEAL NO.5346/2012 @ SLP(C) NO. 11932 of 2012,  
CIVIL APPEAL NOS.5347-5358/2012 @ SLP(C) NOS. 13182-13193 of 2012,  
CIVIL APPEAL NOS.5359-5364/2012 @ SLP(C) NOS. 13210-13215 of 2012,  
CIVIL APPEAL NO.5365/2012 @ SLP(C) NO. 14226 of 2012,  
CIVIL APPEAL NO.5366 @ SLP(C) NO. 13256 of 2012,  
CIVIL APPEAL NOS.5369-5370/2012 @ SLP(C) NOS. 14228-14229 of 2012,  
CIVIL APPEAL NO.5371/2012 @ SLP(C) NO. 17678 of 2012,  
CIVIL APPEAL NO.5373/2012 @ SLP (C) NO.20561/2012,  
@ CC NO.10605/2012,  
CIVIL APPEAL NO.5374/2012 @ SLP (C) NO.20562/2012  
@ CC NO.9941/2012,  
CIVIL APPEAL NO.5375/2012 @ SLP (C) NO.21660/2012  
@ CC NO.11722/2012,  
CIVIL APPEAL NOS.5376-5381/2012 @ SLP (C) NOS.13957-13962/2012,  
CIVIL APPEAL NOS.5382-5385 @ SLP (C) NOS.14053-14056/2012,  
CIVIL APPEAL NO.5386/2012 @ SLP (C) NO.14152/2012,  
CIVIL APPEAL NO.5387/2012 @ SLP (C) NO.21665/2012  
@ CC NO.9633/2012,  
CIVIL APPEAL NO.5388/2012 @ SLP (C) NO.21669/2012  
@ CC NO.9893/2012  
I.A. NOS.1-3 IN CIVIL APPEAL NO.5390/2012  
@ SLP(C).21670/2012 @ CC No.11056/2012,  
CIVIL APPEAL NO.5391/2012 @ SLP (C) NO.21672/2012  
@ CC NO.8504/2012,  
CIVIL APPEAL NO.5392/2012 @ SLP(C) NO.15360/2012,  
CIVIL APPEAL NO.5393/2012 @ SLP (C) NO.21674/2012  
@ CC NO.12082/2012,  
CIVIL APPEAL NO.5394/2012 @ SLP (C) NO.14633/2012,

CIVIL APPEAL NOS.5395-5396/2012  
@ SLP (C) NOS.21676-21677/2012 @ CC NO.12104-12105/2012

O R D E R

Permission to file special leave petitions is granted.  
Delay condoned.  
Leave granted in all the special leave petitions except in  
SLP(C) No.4042-4043 of 2012.

All these appeals are directed against the judgments of the High Court dated 6.1.2012, 11.1.2012, 12.1.2012 and 9.2.2012 on similar lines. Vide these impugned judgments, the High Court had declared certain amendments made by the State of Uttar Pradesh to the provisions of Criminal Procedure Code as unconstitutional and consequently directed that the appointments made to the posts of ADGCs and DGCs etc., without consultation with the High Court and/or the District and Sessions Judge, as the case may be, should be set aside and the vacancies so caused shall be filled in accordance with the old L.R. Manual and the provisions of the Criminal Procedure Code where such consultation is necessary.

Various Special Leave Petitions have been filed against these judgments. Special Leave Petition (c) No.4042-4043 of 2012 filed by the State stands withdrawn in view of the policy decision of the State that they wish to implement the judgment of the High Court in its entirety and would continue to adopt the same policy in future as well.

Other appeals have been filed by the private parties who were respondents in the writ petitions before the High Court and had been appointed in furtherance to the amendments carried out in the Code which have been declared as unconstitutional by the High Court. All these appeals have been heard by us at some length.

We may notice that the primary contention raised before us is not with regard to the constitutional validity or otherwise of the amended provisions of the Criminal Procedure Code but the contention is that the State Government despite its policy decision is not implementing the judgment of the High Court in its true spirit and substance. To substantiate such a plea, the argument is that the High Court had specifically directed in Clause (15) in para 248 as well as Clauses (2) & (4) in para 253 (operative part of the judgment) that the cases of the persons in position should be reconsidered in accordance with the provisions contained in the L.R. Manual as well as that the District Government Counsel could not be removed even under existing L.R. Manual without considering their case for renewal.

To the contra, the argument raised before the High Court is that this clause is applicable only to that class of persons and not to the private respondents before the High Courts and appellants herein.

Since there is unanimity of the view that the judgment of the High Court is required to be implemented in true spirit and substance, we consider it necessary to issue certain clarifications with regard to the judgment in question and despite the fact that the State Government has chosen to withdraw the Special Leave Petition against the judgment and has taken a policy decision to implement the same. The directions are:-

(1) In terms of the above referred clauses of the judgment of the High Court, the vacancies which have already been filled in accordance with Section 24 of the Criminal Procedure Code and certain provisions of the L.R. Manual and unamended provisions of the Criminal Procedure Code. To be more specific, i.e., the appointments which have been made in consultation with the High Court and/or the District and Sessions Judge of the respective district and who continue to function in the respective posts shall not be disturbed.

(2) Against the existing vacancies the cases of all the appellants herein, who are in service or are out of service as well as any of the petitioners before the High Courts, whose services were terminated at any point of time including the persons who had filed writ petitions in the High Court during the pendency of the writ petition and/or the present civil appeals shall be considered for renewal/reconsideration in accordance with the judgment of this Court within a period of three months from today.



CIVIL APPEAL NO.....@ SLP(C) NO. 17678 of 2012  
(With office report),  
CIVIL APPEAL NO.....@ SLP(C) NO..... @ CC NO.  
10605/2012 (With office report),  
CIVIL APPEAL NO.....@ SLP (C) NO..... @ CC  
NO.9941/2012 (With office report),  
CIVIL APPEAL NO.....@ SLP (C) NO..... @  
CC NO.11722/2012 (With appln(s) for c/delay in filing SLP and office  
report),  
CIVIL APPEAL NOS.....@ SLP (C) NOS.13957-13962/2012  
(With appln(s) for exemption from filing O.T. and exemption from  
filing c/c of the impugned judgment and stay/direction and exemption  
from filing O.T. and with prayer for interim relief and office  
report),  
CIVIL APPEAL NOS.....@ SLP (C) NOS.14053-14056/2012  
(With appln(s) for exemption from filing O.T. and exemption from  
filing c/c of the impugned judgment and with prayer for interim relief  
and office report),  
CIVIL APPEAL NO.....@ SLP (C) NO.14152/2012  
(With appln(s) for exemption from filing O.T. and stay/direction and  
exemption from filing O.T. and with prayer for interim relief and  
office report),  
CIVIL APPEAL NO.....@ SLP (C) NO..... @  
CC NO.9633/2012 (With appln(s) for permission to file SLP and  
stay/direction and office report),  
CIVIL APPEAL NO.....@ SLP (C) NO..... @  
CC NO.9893/2012 (With appln(s) for permission to file SLP and office  
report),  
I.A. NOS.1-3 IN CIVIL APPEAL NO.....@ SLP(C)...../2012  
@ CC No.11056/2012 (With appln(s) for permission to file SLP and  
office report),  
CIVIL APPEAL NO.....@ SLP (C) NO..... @ CC  
NO.8504/2012 (With appln(s) for permission to file SLP, and with  
prayer for interim relief and office report),  
CIVIL APPEAL NO.....@ SLP(C) NO.15360/2012  
(With appln(s) for exemption from filing c/c of the impugned judgment  
and with prayer for interim relief and office report),  
CIVIL APPEAL NO.....@ SLP (C) NO..... @ CC  
NO.12082/2012 (With appln(s) for permission to file SLP and office  
report),  
CIVIL APPEAL NO.....@ SLP (C) NO.14633/2012  
(With appln(s) for permission to file additional documents and with  
prayer for interim relief and office report),  
CIVIL APPEAL NOS.....@ SLP (C) NOS..... @  
CC NO.12104-12105/2012 (With appln(s) for c/delay in filing SLP and  
c/delay in refiling SLP and office report)

Date: 17/07/2012 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SWATANTER KUMAR  
HON'BLE MR. JUSTICE FAKKIR MOHAMED IBRAHIM KALIFULLA

For the parties Mr. S.R. Singh, Sr. Adv.

Mr. Sunil Gupta, Sr. Adv.  
Mr. Vikrant Yadav, Adv.  
Mr. Gaurav Dhingra, Adv.  
Mr. S.R.S. Yadav, Adv.  
Mr. A. Sharma, Adv.

Dr. J.N. Dubey, Sr. Adv.  
Mr. Anurag Dubey, Adv.  
Mr. Rajesh Pathak, Adv.  
Mr. S.R. Setia, Adv.  
Mr. Meenesh Dubey, Adv.

Mr. Rajesh Pandey, Adv.  
Mr. Anil Bhatt, Adv.

Ms. Sandhya Goswami, Adv.  
Mr. M.P.S. Tomar, Adv.  
Mr. Jabar Singh, Adv.

Mr. Shekhar Raj Sharma, Adv.  
Mr. Shekhar Kumar, Adv.

Mr. P.K. Jain, Adv.  
Mr. Saurabh Jain, Adv.  
Mr. P.K. Goswami, Adv.

Mr. Manoj Goel, Adv.  
Mr. Shuvodeep Roy, Adv.  
Mr. Umesh Joshi, Adv.  
Mr. Gopal Verma, Adv.  
Mr. Shashank Kathuria, Adv.

Mr. Anoop Kumar Srivastava, Adv.

Mr. Sanjay Kumar Singh, Adv.  
Mr. Siddharth Sengar, Adv.

Mr. Mahabir Singh, Sr. Adv.  
Mr. Ranbir Yadav, Adv.  
Ms. Anzu K. Varkey, Adv.

Mr. R.S. Suri, Sr. Adv.  
Mr. Vikas K. Singh, Adv.  
Mr. Umang Tripathi, Adv.  
Mr. Mukesh K. Giri, Adv.

Mr. Vinay Kumar Das, Adv.  
Mr. Bipin Jha, Adv.  
Mr. Shekhar Prit Jha, Adv.

Mr. M.P. Shorawala, Adv.  
Ms. Jyoti Saxena, Adv.

Mr. Anil Shrivastav, Adv.

Mr. Kamalendra Mishra, Adv.  
Mr. Shuvodeep Roy, Adv.

Mr. Ranbir Singh Yadav, Adv.  
Mr. T.N. Singh, Adv.  
Ms. Mukti Chowdhary, Adv.  
Mr. Ansar Ahmad Chaudhary, Adv.  
Mr. Shekhar Kumar, Adv.  
Ms. Kusum Chaudhary, Adv.  
Mr. Aftab Ali Khan, Adv.  
Mr. Deepak Goel, Adv.

UPON hearing counsel the Court made the following

O R D E R

Permission to file special leave petitions is granted.  
Delay condoned.

Leave granted in all the special leave petitions except in  
SLP(C) No.4042-4043 of 2012.

Special Leave Petition (c) No.4042-4043 of 2012 filed by the  
State stands withdrawn in view of the policy decision of the  
State that they wish to implement the judgment of the High Court  
in its entirety and would continue to adopt the same policy in  
future as well.

Learned counsel appearing for the applicants in Civil Appeal

No..... @ SLP(C) No.11932 of 2012 seeks leave to withdraw the application for impleadment (I.A. No.9) with liberty to take recourse of appropriate remedy, as may be permissible in accordance with law, particularly in view of the fact that earlier the special leave petition was withdrawn with liberty against the same judgment.

Accordingly, the application for impleadment is dismissed as withdrawn with liberty as prayed.

All the I.As and appeals are disposed of in terms of the signed order.

| (NARENDRA PRASAD)  
| COURT MASTER

| | (RENUKA SADANA)  
| | COURT MASTER

|

(Signed order is placed on the file)