

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

WRIT PETITION (CIVIL) NO.296 OF 2008

JOINT ACTION COMMITTEE
ON DELIMITATION

PETITIONER(S)

VERSUS

UNION OF INDIA AND OTHERS

RESPONDENT(S)

O R D E R

Mr. Pallav Sishodia, learned senior counsel for the petitioner, seeks withdrawal of the writ petition as in light of the events that have taken place subsequent to the issuance of notification dated 8th February, 2008, the petitioner intends to make a comprehensive representation to the Central Government for revisiting the development of delimitation process for the State of Nagaland.

2. The prayer of the learned senior counsel is fair and reasonable. Writ petition is permitted to be withdrawn.

...2/-

3. The petitioner is permitted to make appropriate representation as stated.
4. Writ petition is disposed of accordingly.
5. No order as to costs.

.....CJI.
(R.M. LODHA)

.....J.
(KURIAN JOSEPH)

NEW DELHI;
AUGUST 21, 2014

.....J.
(ROHINTON FALI NARIMAN)

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

WRIT PETITION (CIVIL) NO.326 OF 2008

INDO MYANMAR TRIBAL
DEVELOPMENT ASSOCIATION AND ORS. PETITIONER(S)

VERSUS

UNION OF INDIA AND OTHERS RESPONDENT(S)

WITH

WRIT PETITION (CIVIL) NO.438 OF 2011

NAGA PEOPLE'S ORGANIZATION AND ANR. PETITIONER(S)

VERSUS

UNION OF INDIA AND OTHERS RESPONDENT(S)

O R D E R

Heard Mr. Sundeep Srivastava, learned counsel for the petitioners in Writ Petition (Civil) No.326 of 2008 and Mr. Edward Belho, learned counsel for the petitioners in Writ Petition (Civil) No.438 of 2011.

2. The submission of the learned counsel is that the notification dated 8th February, 2008 impugned in the present writ petition is actuated with ulterior motive and suffers from *mala fides*. ...2/-

3. We have carefully considered the impugned notification. The notification records many reasons, *inter alia*, resumption of delimitation by the Delimitation Commission, consequent to this court's stay on the order of the Guwahati High Court which in the opinion of the Central Government is likely to arouse the sentiment of different groups of people living in the state of Manipur due to their apprehension; new delimitation in many electoral constituencies may result in break up of the delicate social equilibrium which may cause alienation among different ethnic groups; the sensitivity of the issue and potentiality of causing widespread disruption of law and order as resolved by the Cabinet in Manipur that the *status quo* in regard to Assembly constituencies in the Manipur be maintained; the State Government of Manipur conveying to the Central Government the strong objections by the legislators, parliamentarians, all political parties, panchayats, public leaders and communities on the proposed

delimitation of Assembly and Parliamentary constituencies based on 2001 census; various NGOs and political parties in Manipur sponsoring agitation in various forms with mass campaign against the ongoing delimitation exercise, while some NGOs in the hill districts have sponsored bandh in hills demanding delimitation of the constituencies of the Assembly and Parliament based on the 2001 census which could lead to violent conflicts among the communities living in the valley and the hills and the State Government's request for maintenance of *status quo* in the interest of peaceful co-existence of tribal communities in the State and its territorial integrity and the maintenance of peace and public order. We are satisfied that there is no merit in the submission of the learned counsel for the petitioner that the impugned notification is actuated with ulterior motive or malafides.

4. Writ petitions are, accordingly, dismissed. However, since the impugned notification was issued in

the year 2008 and learned counsel for the petitioner submits that there is complete peace in the State of Manipur, we permit the petitioner to make appropriate representation to the Central Government for rescission of the impugned notification. Obviously, on such representation being made by the petitioner, the Central Government shall consider the same having regard to all relevant facts and circumstances and in accordance with law.

5. No order as to costs.

.....CJI.
(R.M. LODHA)

.....J.
(KURIAN JOSEPH)

NEW DELHI;
AUGUST 21, 2014

.....J.
(ROHINTON FALI NARIMAN)

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

WRIT PETITION (CIVIL) NO.123 OF 2011

UNITED TRIBAL CONSTITUENCY
RESERVATION DEMAND COMMITTEE & ANOTHER

PETITIONER(S)

VERSUS

UNION OF INDIA AND OTHERS

RESPONDENT(S)

O R D E R

For the reasons stated in the notification dated 8th February, 2008, we are satisfied that there is no merit in the challenge to the said notification. The notification appears to have been issued for valid reasons.

2. Writ petition is, accordingly, dismissed. However, the petitioners shall be at liberty to make appropriate representation to the Central Government for rescission of the impugned notification. Obviously, on such representation being made by the petitioner, the Central Government shall consider the

...2/-

same having regard to all relevant facts and
circumstances and in accordance with law.

3. No order as to costs.

.....CJI.
(R.M. LODHA)

.....J.
(KURIAN JOSEPH)

NEW DELHI;
AUGUST 21, 2014

.....J.
(ROHINTON FALI NARIMAN)

ITEM NO.102

COURT NO.1

SECTION X

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). 296 OF 2008

JT.ACTION COMMITTEE ON DELIMITATION

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(With appln. (s) for stay, permission to file additional documents
and office report)

WITH

W.P.(C) No. 326/2008
(With Office Report)

W.P.(C) No. 123/2011
(With Office Report)

W.P.(C) No. 438/2011
(With Office Report)

SLP(C) No. 11813/2007
(With prayer for Interim Relief and Office Report)

SLP(C) No. 5766/2007
(With prayer for Interim Relief and Office Report)

SLP(C) No. 25347/2009
(With Office Report)

Date : 21/08/2014 These petitions were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE KURIAN JOSEPH
HON'BLE MR. JUSTICE ROHINTON FALI NARIMAN

For Petitioner(s) Mr. Pallav Sishodia, Sr. Adv.
Mr. Rajesh Singh, Adv.

Mr. Sundeep Srivastava, Adv.
Mr. Braj Kishore Mishra, Adv.
Ms. Aparna Jha, Adv.

Ms. N. Annapoorani, Adv.

Mr. Edward Belho, Adv.
Mr. Joseph Aristotle S., Adv.

Ms. Pinki Anand, ASG
Mr. S. Wasim A. Qadri, Adv.
Ms. Binu Tamta, Adv.
For Mr. B.V. Balram Das, Adv.

Ms. Sushma Suri, Adv.

Mr. Abhay Kumar, Adv.

Mr. Shreekant N. Terdal, Adv.

For Respondent(s)

Mr. K.N. Balgopal, Sr. Adv.
Mr. Balaji Srinivasan, Adv.
Mr. Prakash T.A., Adv.
Ms. Nitya Nambiar, Adv.
Mr. A.P. Mukundan, Adv.

Mr. Jaideep Gupta, Sr. Adv.
Mr. Sapam Biswajit, Adv.
Mr. Ashok Kr. Singh, Adv.

Mr. Mohit D. Ram, Adv.

Mr. Parthiv Goswami, Adv.
Mr. Yashvardhan Singh, Adv.
Mr. Rajiv Mehta, Adv.

Mr. Khwairakpam Nobin Singh, Adv.

Ms. Pinki Anand, ASG
Mr. S. Wasim A. Qadri, Adv.
Ms. Binu Tamta, Adv.
For Mr. B.V. Balram Das, Adv.

Ms. Vartika Sahay, Adv.
For M/s. Corporate Law Group

Ms. Sushma Suri, Adv.

Ms. Anil Katiyar, Adv.

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

Writ Petition(Civil) No.296 of 2008

Writ petition is disposed of in terms of the signed order.

Writ Petition (Civil) No.326 of 2008 and Writ Petition(Civil) No.438 of 2011

Writ petitions are dismissed in terms of the signed order.

Writ Petition (Civil) No.123 of 2011

Writ petition is dismissed in terms of the signed order.

SLP(C) Nos. 11813 of 2007, 5766 of 2007 and 25347 of 2009

In view of the notification dated 8.2.2008, we are satisfied that merits of the matter do not deserve to be examined. Special leave petitions are disposed of as infructuous. Question of law, however, is kept open.

(Neetu Khajuria)
Sr.P.A.

(Renu Diwan)
Court Master

(Three signed orders are placed on the file.)