

IN THE SUPREME COURT OF INDIA  
CIVIL/CRIMINAL APPELLATE JURISDICTION

CIVIL APPEAL NO(S). 1464/2024

NAHAR SINGH YADAV & ANR.

Appellant(s)

VERSUS

UNION OF INDIA MINISTRY OF  
JUSTICE GOVT. OF INDIA  
SECRETARY & ORS.

Respondent(s)

WITH

WRIT PETITION (C) No. 306/2008

CRIMINAL APPEAL Nos. 590-598/2024

CIVIL APPEAL No. 1465/2024

CIVIL APPEAL No. 1466/2024

CRIMINAL APPEAL No. 600/2024

O R D E R

CIVIL APPEAL NO. 1464/2024:

It is stated by learned Additional Solicitor General (ASG) appearing for the respondent-CBI along with learned counsel appearing for the respondent-High Court that the prayers sought in the writ petitions filed by the appellant(s) herein before the High Court would no longer survive for consideration and the matter(s) has been rendered infructuous inasmuch as the investigation in the case has been completed, chargesheet has been filed and the trial is under way.

In the circumstances, learned counsel for the respondent-CBI submitted that appropriate orders may be made in this case.

Learned counsel for the appellants also endorsed the said submissions.

Taking note of the same, we dispose of this appeal as having been rendered infructuous.

Pending application(s), if any, shall stand disposed of.

WRIT PETITION (C) No. 306/2008:

Learned counsel appearing for the petitioner(s) submitted that the prayers sought for by the petitioner(s) herein have been by and large granted and the matter would no longer survive for consideration inasmuch as the respondent-CBI has conducted an investigation and also filed the chargesheet and the trial is under way.

Learned counsel, however, submitted that having regard to the large number of accused as well as witnesses, the trial would inevitably be delayed; that presently, the Special Court/CBI Court is conducting the trial in the said case only once a week, i.e. on Monday. Hence, appropriate directions may be issued for the expeditious conclusion of the trial.

In response to this submission, learned ASG stated that having regard to the large number of accused and witnesses, it is inevitable that the trial would take its own pace. However, directions may be issued by this Court in regard to expeditious conclusion of the trial.

In the circumstances, we find it just and proper that we request the Allahabad High Court to monitor the said trial in the case arising out of Crime No.152/2008 for the expeditious conclusion of the trial by issuing appropriate directions, if necessary.

The Writ Petition is disposed in the aforesaid terms.

Pending application(s), if any, shall stand disposed of.

Criminal Appeal Nos. 590-598/2024:

Learned counsel for the appellant(s) submitted a table giving the details with regards to the nature of service that they had provided and the amount deposited by them at the time of grant of bail and also the order that has been passed in respect of each of these persons, to contend that nothing further survives insofar as these appellants are concerned. Hence, in order to give a quietus to the entire matter(s), the appellants would not seek refund of the amounts already deposited by them and regarding the same, the appeals could be disposed of.

By way of response to this submission, learned counsel for the respondent-High Court brought to our notice the fact that the amounts which were siphoned off from the Provident Fund account of Class III and Class IV employees of the District Court, Ghaziabad, are much higher than the deposits that have been made by the appellants herein.

The details are extracted in the form a table, which read as under:

S. No.	Name	Service Provided	GPF Cheques Deposited (Rs.)	Deposited at the time of Bail	Recovery notice amount as	Not charge-sheeted/ CBI approver
1.	Subhash Chand	Generator supplier	1,70,000/-	1,90,000/-	3,79,609/-	Not Chargesheeted/discharged
2.	Savita Tyagi	Luxury Tax	2,75,000/-	2,75,000/-	5,80,130/-	Not charge-sheeted/discharged
3.	Arun Kumar Verma	Photography and videography	3,22,000/-	3,22,000/-	6,87,914/-	CBI Approver as per order dated 03.06.2011
4.	Ami Chand	Transportation , crockery and sale of plot	3,53,000/-	3,53,000/-	8,61,791/-	CBI Approver as per order dated 03.06.2011
5.	Amrish Tyagi	Luxury taxi	3,55,000/-	3,55,000/-	7,59,290/-	Not charge-sheeted/discharged
6.	Sheela Pal	Transportation and plot sale	4,40,000/-	...	10,25,850/-	Not chargesheeted/discharged
7.	Sanjeev Kr. Tyagi	Luxury Tax	6,22,000/-	6,22,000/-	13,62,085/-	CBI Approver as per order dated 03.06.2011
8.	Hemendra Tyagi	Building material	6,31,000/-	6,31,000/-	12,41,277/-	Not chargesheeted/discharged
9.	Ved Prakash	N/A	10,10,000/-	1,00,000/- (as per this Hon'ble Court's order dated 16.11.2009)	19,77,686/-	Not chargesheeted/discharged

As far as person shown at Sr. No.9 is concerned, he is an employee of the District Court and he was directed to deposit a sum of Rs.1,00,000/- only at the time of consideration of his case for grant of bail and he has done so.

That since the amounts which were siphoned off are much higher than what has been deposited by the appellant(s) herein, recovery proceedings were rightly initiated against these appellants herein. Therefore, this Court may not interfere with the recovery proceedings.

Taking note of the submissions made at the Bar, we observe that the amounts deposited by the appellant(s) herein shall not be claimed as a refund by them.

In view of the above, the said amounts may be made over to the Provident Fund Account at District Court, Ghaziabad, in accordance with the norms.

Since the matters are still pending before the Allahabad High Court, we can only stay the recovery proceedings for the present and keep them in abeyance pending disposal of the matter(s) before the Allahabad High Court. We also observe that out of nine appellants, three of them, namely, at Sr. Nos.3, 4 and 7 have turned approver and insofar as the other appellants' named in the table are concerned, they have not been chargesheeted by

the respondent/CBI and therefore, have been discharged vide order of the Special Court/CBI Court. This aspect of the matter may be taken note by the High Court when passing final orders in the case.

Taking note of the submission, these appeals are disposed of in the aforesaid terms.

Pending application(s), if any, shall stand disposed of.

Civil Appeal No. 1465/2024:

We have heard learned senior counsel for the appellant and learned counsel for the Allahabad High Court and learned counsel for the respondent-State and other authorities.

We find that the appellant herein was chargesheeted under various provisions of the Prevention of Corruption Act, 1988 and the trial as against him is under way.

In the circumstances, we do not see any reason to interfere with the impugned order.

Hence, the Civil Appeal is dismissed.

However, all contentions that are available to the appellant herein shall be permitted to be taken in the recovery proceedings including the imposition of interest as well as the rate of interest, if any, imposed or to be imposed.

It is needless to observe that if such contentions as available are raised by the appellant(s) herein, the same shall be considered in accordance with law.

We also reserve liberty to the appellant(s) herein to make an appropriate application with regard to the imposition of interest on the sum of Rs.24,57,273/- which is quantified as the dues to be paid by the appellant herein in the event any such interest has been or is to be imposed on the said amount. If such an application is made by the appellant herein, the same shall be considered in accordance with law.

Pending application(s), if any, shall stand disposed of.

CIVIL APPEAL No. 1466/2024:

Learned senior counsel for the appellant submitted that the appellant died in the year 2021 during the pendency of the matter before this Court, the appellant was discharged by the learned Special Judge, CBI Court, Ghaziabad *vide* order dated 03.06.2011. The deceased-appellant however, has challenged the recovery proceedings before the High Court and her writ petition has been dismissed. The deceased-appellant herein had also deposited a sum of Rs.1,00,000/- as a condition for the grant of bail before the learned Special Judge/CBI

Court, Ghaziabad. Since the recovery proceedings were initiated as against the appellant herein, since deceased, we dispose of this appeal by reserving liberty to the legal heirs/representatives of the appellant herein to take such defenses as are available in law in the event any recovery proceedings are continued as against the legal representatives of the deceased-appellant.

The appeal is disposed of in the aforesaid terms.

Pending application(s), if any, shall stand disposed of.

CRIMINAL APPEAL No. 600/2024:

Learned senior counsel submitted that the appellant herein had initially deposited a sum of Rs.2,42,000/- before the Court of the Special Judge/CBI Court, Ghaziabad by way of a fixed deposit receipt dated 11.05.2009. The Special Court permitted him to withdraw the said amount vide order dated 15.06.2015. However, recovery proceedings are continuing as against this appellant also. He also submitted that the appellant herein was discharged by the Special Judge/CBI Court, Ghaziabad vide order dated 03.06.2011.

In the circumstances, learned senior counsel submitted that appropriate reliefs may be granted to the appellant insofar as the recovery proceedings are concerned subject to the appellant redepositing a sum of Rs.2,42,000/- before the Special Court.

*Per contra*, learned counsel for the respondent-High Court submitted that if this Court is to grant stay of the recovery proceedings pending disposal of the matter before the High Court like in connected cases, then the amount of Rs.2,42,000/- may be deposited before the Registry of the High Court which in turn could redeposit the amount to the Provident Fund Account at District Court, Ghaziabad.

Taking note of the aforesaid submissions, we grant a period of four weeks from today to the appellant in this appeal to deposit a sum of Rs.2,42,000/- before the Registry of the Allahabad High Court. The Registry of the High Court in turn shall transmit the said amount to the Provident Fund Account of the District Court, Ghaziabad.

The aforesaid directions would be subject to the final orders to be made by the High Court.

In the meanwhile, there shall be stay on the recovery proceedings as against this appellant.

The appeal is, accordingly, disposed of.

Pending application(s), if any, shall stand disposed of.

....., J.  
( B.V. NAGARATHNA )

....., J.  
( K.V. VISWANATHAN )

NEW DELHI;  
JULY 30, 2025

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGSCIVIL APPEAL NO(S).1464/2024

NAHAR SINGH YADAV &amp; ANR.

Appellant(s)

VERSUS

UNION OF INDIA MINISTRY OF JUSTICE  
GOVT. OF INDIA SECRETARY & ORS.

Respondent(s)

WITH

W.P.(C) No. 306/2008 (X)  
Crl.A. No. 590-598/2024 (II)  
C.A. No. 1465/2024 (III-A)  
C.A. No. 1466/2024 (III-A)  
Crl.A. No. 600/2024 (II)

(IA No. 1893/2017 - EXEMPTION FROM FILING O.T.)

Date : 30-07-2025 This appeal was called on for hearing today.

CORAM :

HON'BLE MRS. JUSTICE B.V. NAGARATHNA  
HON'BLE MR. JUSTICE K.V. VISWANATHAN

For Appellant(s) Mr. Vishwajit Singh, Sr. Adv.  
Ms. Veera Kaul Singh, AOR  
Mr. Pankaj Singh, Adv.  
Ms. Ridhima Singh, Adv.

Mr. Prashant Bhushan, AOR  
Mr. Pranav Sachdeva, Adv.

Mr. Braj Kishore Mishra, AOR  
Mr. Abhishek Yadav, Adv.  
Mr. Ajay Kumar Srivastava, Adv.  
Ms. Mini Kishore, Adv.  
Mr. Vikram Patralekh, Adv.  
Mr. Shantanu M. Adkar, Adv.

Mr. Vishwajit Singh, Sr. Adv.  
Mrs. Veera Kaul Singh, Adv.  
Mr. Pankaj Singh, Adv.  
Ms. Ridhima Singh, Adv.  
M/s Vidhi International, AOR

For Respondent(s) : Mr. Anuvrat Sharma, AOR

Mr. Vikramjit Banerjee, A.S.G.  
Mr. Tacho Eru, Adv.  
Mr. Shubhendu Anand, Adv.  
Mr. Rohit Pandey, Adv.  
Mr. Yugandhara Pawar Jha, Adv.  
Mr. Navanjay Mahapatra, Adv.  
Dr. N. Visakamurthy, AOR

Mr. Piyush Sharma, AOR

Mr. Ritesh Agrawal, AOR

Ms. Asha Gopalan Nair, AOR

Mr. Arvind Kumar Sharma, AOR

Mr. Yash Pal Dhingra, AOR

Mr. E. C. Agrawala, AOR

Ms. Ruchira Goel, AOR

Ms. Preetika Dwivedi, AOR

Mr. Abhisek Mohanty, Adv.

Mr. Vikramjit Banerjee, A.S.G.

Mr. Mukesh Kumar Maroria, AOR

Mr. Tacho Eru, Adv.

Mr. Shubendu Anand, Adv.

Mr. Rohit Pandey, Adv.

Mr. Navanjay Mahapatra, Adv.

Ms. Yugandhara Pawar Jha, Adv.

Mr. Suraj Mishra, Adv.

Mr. Kartik Dey, Adv.

Mr. Shrisha Chandra, Adv.

Mr. Abhishek Singh, Adv.

Mr. N. C. Zeliang, Adv.

Mr. Devender Upadhyay, Adv.

Mr. Manmeet Mishra, Adv.

Mr. Hitesh Kumar Sharma, Adv.

Mr. Amit Kumar Chawla, Adv.

Mr. Mahi Pal Singh, Adv.

Ms. Radhika Singh, Adv.

Mr. B.K. Parsad, Adv.

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

CIVIL APPEAL NO(S). 1464/2024

Civil Appeal is disposed of as having been rendered

infructuous in terms of the signed order.

Pending application(s), if any, shall stand disposed of.

WRIT PETITION (C) No. 306/2008:

The Writ Petition is disposed in terms of the signed order.

Pending application(s), if any, shall stand disposed of.

Criminal Appeal Nos. 590-598/2024:

These appeals are disposed of terms of the signed order.

Pending application(s), if any, shall stand disposed of.

Civil Appeal No. 1465/2024:

The Civil Appeal is dismissed in terms of the signed order.

Pending application(s), if any, shall stand disposed of.

CIVIL APPEAL No. 1466/2024:

The appeal is disposed of in terms of the signed order.

Pending application(s), if any, shall stand disposed of.

CRIMINAL APPEAL No. 600/2024:

The appeal is disposed of in terms of the signed order.

Pending application(s), if any, shall stand disposed of.

(RADHA SHARMA)  
ASTT. REGISTRAR-cum-PS

(DIVYA BABBAR)  
COURT MASTER (NSH)

(COMMON SIGNED ORDER IS PLACED ON THE FILE)