

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

RECORD OF PROCEEDINGS

WRIT PETITION (C) NO(s). 265 OF 2006

(For prel. Hearing)

ASHOKA KUMAR THAKUR

Petitioner(s)

VERSUS

UNION OF INDIA & ORS

Respondent(s)

Date: 29/05/2006 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ARIJIT PASAYAT

HON'BLE MR. JUSTICE LOKESHWAR SINGH PANTA

(VACATION BENCH)

For Petitioner(s) Petitioner-In-Person

For Respondent(s) Mr. Gopal Subramaniam, A.S.G.

Mr. P. Parmeswaran, Adv.

UPON hearing counsel the Court made the following

O R D E R

Issue notice.

The basic issues which arise for consideration in this petition are as

follows:-

as to who belongs to 1. What is the basis for the determination/classification

"Other Backward Class",

2. The modalities to be adopted for implementation of the policy in question.

Contd.....2/-

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In the counter affidavit to be filed by respondent Nos.1 to 7, these aspects

shall be specifically dealt with. It shall be indicated as to what are the materials or

the foundation on the basis of which determination/classification has been done as

to who belongs to "other backward class" and the rationale for adoption of the

norms, if any, in the counter affidavit. It shall be further indicated as to how the

policy is to be implemented and the modalities to be adopted.

A plea has been taken by the petitioner that implementation of the policy

will result in dividing our great country on caste basis. This question has serious

and sensitive social and political ramifications and if the necessity so arises, the

issue shall be dealt with appropriately when the matter is taken up for final

hearing. The counter affidavit shall be filed within eight weeks. Rejoinder, if any,

shall be filed within six weeks. Put up the matter thereafter.

ijay Aggarwal)

(Neena Verma)

(V

Court Master

Court Master