

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

RECORD OF PROCEEDINGS

WRIT PETITION (CIVIL) NO.576 OF 2004

SALIL CHATURVEDI

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(With appln(s) for directions, intervention and exemption  
from filing O.T. and office report)

Date: 29/03/2007 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.B. SINHA

HON'BLE MR. JUSTICE MARKANDEY KATJU

For Petitioner(s)

Mr. Prashant Bhushan,Adv.

Mr. Rohit Kumar Singh,Adv.

Mr. Vishal Gupta,Adv.

Mr. Sumeet Sharma,Adv.

Ms. Parul Kaur Majethia,Adv.

For Respondent(s)

Mr. T.S. Doabia, Sr.Adv.

Ms. Sunita Sharma,Adv.

Mr. D.S. Mahra,Adv.

Mrs. Anil Katiyar,Adv.

For State of Andhra Pradesh

Mr. Manoj Saxena,Adv.

For State of Arunachal

Pradesh

Mr. Anil Shrivastava,Adv.

For State of Assam

Mr. Riku Sarma,Adv.

for

M/S. Corporate Law Group,Adv.

For State of Bihar

Mr. Gopal Singh,Adv.

and State of

Tripura

Mr. Anukul Raj,Adv.

Mr. Rituraj Biswas,Adv.

For State of Chhattisgarh

Ms. Suparna Srivastava,Adv.

Ms. Nidhi Minocha,Adv.

Mr. Rajesh Srivastava,Adv.

For State of Goa

Mr. S. Ravi Shankar,Adv.

Mrs. Yamunah Nachiar,Adv.

Ms. Vidushi Chandra,Adv.

For Sate of Gujarat

Ms. Hemantika Wahi,Adv.

Ms. Pinky Behera,Adv.

For State of Haryana

Mr. Manjit Singh,Adv.

Mr. Harikesh Singh,Adv.

Mr. T.V. George,Adv.

For State of H.P.

Mr. J.S. Attri,Adv.

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For State of Jharkhand Mr. Nagendra Rai, Sr.Adv.

Mr. Manish Kumar Saran,Adv.

For State of Karnataka

Mr. Sanjay R. Hegde,Adv.

For State of Kerala

Mr. R. Sathish,Adv.

For State of Maharashtra

Mr. S.S. Shinde,Adv.

Mr. V.N. Raghupathy,Adv.

For State of Manipur

Mr. KH Nobin Singh,Adv.

Mr. S. Biswajit Meitei,Adv.

Mr. David Rao,Adv.

For State of Meghalaya Mr. Ranjan Mukherjee,Adv.

For State of M.P.

Mr. Amit Mishra,Adv.

Mr. B.S. Banthia,Adv.

For State of Mizoram

Mr. K.N. Madhusoodhanan,Adv.

Mr. R. Sathish,Adv.

For State of Nagaland

Mr. U. Hazarika,Adv.

Mr. Satya Mitra,Adv.

Ms. Sumita Haziraka,Adv.

For State of Orissa

Mr. Janaranjan Das,Adv.

Mr. Swetaketu Mishra,Adv.

For State of Punjab

Mr. Kuldip Singh,Adv.

Mr. R.K. Pandey,Adv.

Mr. Sanjay Katyal,Adv.

Mr. T.P. Mishra,Adv.

For U.T. of Pondicherry Mr. V.G. Pragasam,Adv.

Mr. S. Vallinayagam,Adv.

Mr. S. Prabhu Ramasubramanian,Adv.

For State of Rajasthan

Mr. Jatinder Kumar Bhatia,Adv.

For State of Sikkim

Mr. A. Mariarputham,Adv.

Ms. Aruna Mathur,Adv.

for

M/S. Arputham, Aruna & Co.,Adv.

For State of T.N.

Mr. R. Ayyam Perumal,Adv.

Mr. S. Vallinayagam,Adv.

For State of Uttaranchal Mrs. D. Bharathi Reddy,Adv.

Mr. P. Vinay Kumar,Adv.

Ms. Sneha Bhaskaran,Adv.

For State of W.B.

Mr. Avijit Bhattacharjee,Adv.

Mr. Sumaya Kundu,Adv.

Ms. Niranjana Singh,Adv.

Mr Arun K. Sinha,Adv.

Mr. Gopal Prasad,Adv.

Mr. Ravindra Keshavrao Adsure,Adv.

Mr. M.T. George ,Adv.

Mr. Ravindra Kumar,Adv.

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UPON hearing counsel the Court made the following

O R D E R

By our order dated 9.2.2007 it was directed:

"It appears that despite this Court's order dated 11.12.2006 the Union of India, The States of Andhra Pradesh, Chattisgarh, Haryan, Jammu & Kashmir, Kerala, Manipur, Nagaland, Orissa, Tamil Nadu, Uttaranchal, Rajasthan, West Bengal and Delhi have not filed their affidavits. We deprecate the conduct of the States as also the Union of India in not filing the affidavits. By way of last indulgence, grant six weeks' further time to file their counter affidavits.

Put up the matter on 29.3.2007. If by that date, the respondents-UOI and the concerned States do not file their response, the Secretary to the Government of India, Ministry of Social Justice as also the Chief Secretaries of the States shall remain personally present in the Court on 29.3.2007."

Pursuant to the said order, all other States except State of Andhra Pradesh have filed their affidavits.

of the Mr. Manoj Saxena, learned counsel appearing on behalf  
State of Andhra Pradesh states that he has received parawise comments  
by fax only yesterday and therefore an affidavit could not be filed. From  
our order dated 9.2.2007, it would appear that the conduct of the States  
in not filing affidavits in time has been deprecated but still  
then the affidavit has not been filed on behalf of the State of Andhra Pradesh. Let  
the Chief Secretary of the State of Andhra Pradesh remain personally  
present before this Court on Monday, 2nd April, 2007.

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the Mr. Saxena assures us that an affidavit shall be filed during  
course of the day and a copy thereof shall be served upon Mr. Prashant  
Bhushan, Advocate. The State of Andhra Pradesh shall also file an  
affidavit as to why the order of this Court could not be complied with.

Learned counsel appearing for the State of Tamil Nadu states that  
a copy of the affidavit, which has already been filed, shall be served upon  
Mr. Prashand Bhushan during the course of the day.

List on Monday, 2nd April, 2007 only with regard to the response

by the State of Andhra Pradesh. A date of hearing shall be fixed on that  
date.

(A.S. BISHT)

COURT MASTER

(PUSHAP LATA BHARDWAJ)

COURT MASTER