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W.P(Crl.)No. 109 OF 2003

ITEM No.34 and
ITEM Nos.35 and 43

Court No. 1

SECTION PIL

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

Writ Petition(Crl.) No. 109/2003(For Preliminary Hearing)

NATIONAL HUMAN RIGHTS COMMISSION

Petitioner (s)

VERSUS

STATE OF GUJARAT & ORS.

Respondent (s)

(With Appln(s). for intervention. and exemption from filing O.T. and
directions and office report)
(with Crl.MPs 11168 and 11689 for intervention and directions)
With

T.P.(Crl.) No.194-202/2003 (for prel. hearing) (National Human Rights Commission vs. State of Gujarat & ors.) (with appln.(s) for stay and impleading party and permission to place additional documents on record and office report),
W.P(Crl.)No.D17953/2003 (for prel. hearing) (Umed Singh Gulia vs. Union of India & Anr.) (with office report),
SLP(Crl.)No.3770/2003 (for prel. hearing) (Citizens for Justice & Peace & Ors. vs. State of Gujarat & Ors.) (with appln.(s) for filing addl. facts and documents and directions and permission to place addl. documents on record and office report),
SLP(C) No. 7951/2002 (for prel. hearing) (Viraj Tra Desai vs. State of Gujarat & Ors.) (with a ppln.(s) for exemption from filing c/c of the impugned judgment and permission to place addl. on record),
WP(Crl.) Nos. 11-15/2003 (for prel. Hearing) (Aleque Padamsee & Ors. vs. Union of India & Ors.) (with appln.(s) for permission to submit additional documents and directions and office report),
WP(C) No. 310/1996 (Prakash Singh & Ors. vs. U O I & Ors.) (with office report),
SLP(Crl.) No. 4409/2003 (Yusufkhan Muradkhan Pathan vs. State of Gujarat & Ors.) (with office report),
WP(Crl.) No. 216/2003 (Yusufkhan Muradkhan Pathan vs. State of Gujarat) (with office report)

and Item No. 35

SLP(Crl.) No. 5309/2003 (Citizens For Justice & Peace & Anr. vs. State of Gujarat & Ors.) (with appln.(s) for c/delay in filing SLP and exemption from filing c/c of the impugned judgment and exemption from filing O.T. and office report)

and Item No. 43

WP(Crl.) No. 284/2003 (Imran Mohamad Salim Dawood vs. Union of India & Anr.) (with appln.(s) for exemption from filing O.T.)

Date : 19/12/2003 These Petitions were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE S.B. SINHA
HON'BLE MR. JUSTICE S.H. KAPADIA

Amicus CuriaeMr. Harish N Salve, Sr. Adv.

Mr. Bhargava V Desai, Adv.
Mr. Sidhartha Choudhary, Adv.
Ms. Aparjita Singh, Adv.
Mr. Sanjeev Kr. Singh, Adv.
Mr. Pradeep Kr. Malik, Adv.
Ms. Meenakshi, Adv.
Ms. Gayatri Goswami, Adv.

For Petitioner (s)
in WP 109 &
TP 194-202 Mr. S. Muralidhar, Adv.

Mr. Somiran Sharma, Adv.
Mr. Rajat Khosla, Adv.
Mr. Amit Sharma, Adv.

in WPD17953 In person.

in SLP 3770 Mr. Shanti Bhushan, Sr. Adv.
Ms. Aparna Bhat, Adv.
Ms. Meenakshi Sakhardande, Adv.

in SLP 7951 M/s. J S Wad & Co., Advs.(NP)

in WP(Crl.) 11-15 Ms. Aparna Bhat, Adv.
Ms. Meenakshi Sakhardande, Adv.

in WP 310/96 Mr. Prashant Bhushan, Adv.

in SLP(Crl.) 4409 & Mr. Kapil Sibal, Sr. Adv. .
WP(Crl.) 216 Mr. Huzefa Ahmadi, Adv.
Mr. Ejaz Maqbool, Adv.
Mr. Nakul Dewan, Adv.
Mr. Abhimeet Sinha, Adv.
Ms. Minakshi Nag, Adv.
Mr. Gourav Kejriwal, Adv.

in WP(Crl.) 284 Ms. Indira Jaising, Sr. Adv.
Mr. Sanjay Parikh, Adv.
Mr. Naveen R Nath, Adv.
Mr. Anand Grover, Adv.
Mr. S Santhanam Swaminadhan, Adv.

in WP(Crl.) 221/02 Ms. Indira Jaising, Sr. Adv.
& WP(Crl.) 37-52/02 Ms. Aparna Bhat, Adv.

For Respondent (s)
Union of India Mr. Kirit N Raval, Solicitor General
Mr. A D N Rao, Adv.
Mr. A Mariarputham, Adv.
Mr. Prateek Jalan, Adv.
Ms. Sushma Suri, Adv.

State of Gujarat Mr. Mukul Rohtagi, ASG
Mr. Kamal Trivedi, Addl. Adv. Genl.
Ms. Hemantika Wahi, Adv.v.

in TP(Crl.) 194-202 Mr. K T S Tulsi, Sr. Adv.
Mr. P H Parekh, Adv.
Mr. Lalit Chauhan, Adv.

Ms. Anita Sehwaq, Adv.

Mr. U R Lalit, Sr. Adv.
Dr. Kailash Chand, Adv.
Mr. S N Bhatt, Adv.
Mr. Nikhil Goel, Adv.

Mr. Sushil Kumar, Sr. Adv.
Mr. Adolf Mathew, Adv.
Mr. Vinay Arora, Adv.
Mr. Sanjay Jain, Adv.

Mr. Rashmikumar Nanilal Vithlani, Adv.
Mr. Vijay Patel, Adv.
Mr. Kamlendra Joshipura, Adv.
Mr. Dilipbhai Trivedi, Adv.
Mr. Vinod Gajjar, Adv.

R.Nos.2-22 in Mr. K T S Tulasi, Sr. Adv.
SLP 3770Mr. Lalit Chauhan, Adv.
Mr. Sameer Parekh, Adv.
for M/s. P H Parekh & Co., Adv.

in WP(Crl.)11-15Mr. Ravindra K Adsure, Adv.(NP)
Mr. V N Raghupathy, Adv. (NP)

in WP 310
Mr. P Parmeswaran, Adv.(NP)

State of Assam Ms. Krishna Sarma, Adv.
Ms. Asha G Nair, Adv.
Mr. V K Sidatharan, Adv.
For Corporate Law Group, Adv.

State of Andhra Pradesh Mr. T V Ratnam, Adv.
Mr. K Subba Rao, Adv.

State of Goa Ms. A Subhashini, Adv.

State of Haryana Ms. Kavita Wadia, Adv.

State of H.P. Mr. L R Rath, Adv.
Mr. J S Attri, Adv.

State of J & K Mr. Anis Suhrawardy, Adv.

State of Karnataka Mr. Sanjay R Hegde, Adv.

State of Manipur Mr. KH Nobin Singh, Adv.

State of Meghalaya Mr. Ranjan Mukherjee, Adv.

State of Maharashtra Mr. Mukesh K Giri, Adv.

State of M.P. Mr. Sakesh Singh, Adv.
Mr. Satish K Agnihotri, Adv.

State of Nagaland Mr. U Hazarika, Adv.
Ms. Madhvi Sharma, Adv.
Ms. Sumita Hazarika, Adv.

State of Orissa Mr. Jana Kalyan Das, Adv.

State of Punjab Mr. R K Rathore, Addl. Adv. Genl., Pb.
Mr. R S Suri, Adv.
Mr. Bimal Roy Jad, Adv.

Mr. H S Munjral, Adv.
Ms. Kawaljit Kochhar, Adv.
Mr. R S Suri, Adv.

State of Rajasthan Ms. Sandhya Goswami, Adv.

State of Sikkim Mr. A Mariarputham, Adv.

Ms. Aruna Mathur, Adv.

For M/s. Arputham, Aruna & Co., Advs.

Mr. H K Puri, Adv.

Mr. Ujjwal Banerjee, Adv.

Mr. S K Puri, Adv.

Mr. Shiv Gupta, Adv.

Mr. K R Nagaraja, Adv.

Mr. Sandeep Narain, Adv.

Mr. Shri Narain, Adv.

Ms. Anjali Jha, Adv.

for S Narain & Co., Advs.

Mr. S Ravindra Bhat, Adv.

Ms. Revathy Raghavan, Adv.

in SLP(Crl.) 4409&
WP(Crl.) 216 Mr. K K Sud, ASG
Ms. Hemantika Wahi, Adv.
(for State of Gujarat)

For Petitioner (s)
in intervention/
impleadment petns
in WP 109.Mr. P S Mishra, Sr. Adv.
Mr. C D Singh, Adv.
Mr. Vijay Pratap Singh, Adv.
Mr. Tathagat H Vardhan, Adv.

Dr. Nafis A Siddiqui, Adv.

Mr. Imtiaz Ahmed, Adv.

Ms. Nagma Imtiaz, Adv.

Mr. V N Raghupathy, Adv.

in TP 194-202Ms. Aparna Bhat, Adv.

Ms. Meenakshi Sakhardande, Adv.

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

Issue notice in WP(C) No. 284/2003. Mr. A D N Rao, Adv. accepts notice on behalf of Union of India and Ms. Hemantika Wahi, Adv. on behalf of State of Gujarat. Two weeks' time is granted for filing counter affidavit.

Issue notice in Crl. M.P. No. 11689/2003 in WP(Crl.) No. 109/2003. Ms. Hemantika Wahi, Adv. accepts notice on behalf of State of Gujarat who may file response to the Crl.M.P., including the details of each riot related cases, by 20th January, 2003. Crl.M.P. No. 11668/2003 in WP(Crl.) No. 109/2003 shall be considered at the time of hearing of the matter.

List T.P.(Crl.) Nos. 194-202/2003 on 16th January, 2004.

Rest of the matters be listed on 30th January, 2004.

WP(Crl.) Nos. 221/2002 and 37-52/2002 may also be listed separately on 30th January, 2004

(D.P. WALIA)

COURT MASTER

(JANKI BHATIA)

COURT MASTER

(Paperbooks of WP(Crl.) No. 109/2003 may also be circulated on 16th January, 2004.)