

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). 360/2009

RAVI SHANKAR BHUSHAN

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(with appln. (s) for clarification/direction and office report)

WITH

W.P.(C) No. 301/2005

(With Office Report)

Date : 14/10/2014 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE M.Y. EQBAL

HON'BLE MR. JUSTICE SHIVA KIRTI SINGH

For Petitioner(s)

Mr. Colin Gonsalves, Sr.Adv.
Mr. Divya Jyoti Jaipurkar, Adv.
Ms. Jyoti Mendiratta ,Adv.Mr. Bhardwaj S. Iyengar, Adv.
Mr. Vikas Upadhyay, Adv.

For Respondent(s)

Mr. Awanish Sinha ,Adv.

Mr. B. K. Satija ,Adv.

For U.O.I.

Mr. J.S. Attri, Sr.Adv.
Mr. Sadasiva Reddy, Adv.
Mr. Mukesh Sharma, Adv.
Mr. D. S. Mahra,Adv.

For CAG

Mr. Maninder Singh, ASG
Ms. Anjani Aiyagari, Adv.
Mr. D.S. Mahra, Adv.Mr. Jitendra Kumar,Adv.
Mr. Raj Kishor Choudhary, Adv.

Mr. P. Parmeswaran,Adv.

Mr. Rajiv Nanda, Adv.

Mr. Ram Swarup Sharma, Adv.

Mr. R. N. Keshwani , Adv.

Mr. Sanjay Kapur, Adv.

Ms. Lekha Vishwanath, Adv.

Ms. Priyanka Das, Adv.

Mr. Shiv Ram Sharma , Adv.

Mr. Shreekant N. Terdal , Adv.

For Central Bank
Of India

Mrs Rachna Gupta , Adv.

Mr. Anil Kumar, Adv.

Mr. Visheshwar Shrivastav, Adv.

For RR 21 and 28
In WP(C) 301/05

Mr. Lalit Bhasin, Adv.

Ms. Nina Gupta, Adv.

Mr. Mudit Sharma, Adv.

Ms. Bina Gupta, Adv.

For RR 8, 14 & 27
WP(C) 360/09

Ms. Nina Gupta, Adv.

Mr. Mudit Sharma, Adv.

Mr. Parvez A. Khan, Adv.

Ms. Bina Gupta, Adv.

Mrs. Gunjan S. Jain, Adv.

For M/s. M. V. Kini & Associates , Adv.

Ms. Praveena Gautam , Adv.

Mr. Sarvesh Bisaria, Adv.

Mr. P.C. Sharma, Adv.

Ms. S. Usha Reddy , Adv.

Mr. B. Krishna Prasad , Adv.

For R.B.I.
(RR-5)

Mr. Jaideep Gupta, Sr. Adv.

Mr. Kuldeep S. Parihar, Adv.

Mr. H.S. Parihar, Adv.

Mr. Jitendra Kumar, Adv.

Mr. Rajesh Singh, Adv.

Mr. Rajiv Nanda, adv.

Mr. Ram Swarup Sharma, Adv.

Mr. R.N. Keshwani, Adv.

For Dena Bank

Ms. Meera Mathur, Adv.

Mr. Rajesh Kumar, Adv.

Mr. Gaurav Kumar Singh, Adv.

Mr. Rakesh Chaurasiya, Adv.

For M/s Mitter & Mitter Co.

State of H.P.

Mr. Suryanarayana Singh, AAG

Ms. Pragati Neekhra, Adv.

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

This public interest litigation has been filed seeking implementation of the judgment passed in the Indian Banks' Association, Bombay and others versus Devkala Consultancy Service and others reported in 2004 (11) SCC 1.

We have heard at length Mr. Colin Gonsalves, learned senior counsel appearing for the petitioner, Mr. Maninder Singh, learned Additional Solicitor General appearing on behalf of the Comptroller and Auditor General of India (CAG) and Mr. Jaideep Gupta, learned senior counsel appearing for Reserve Bank of India (R.B.I.) (Respondent No.5).

This Court, from time to time, passed various orders in this case considering the stand taken by all the respondents. Prime facie, we are of the view that no respondent can be exonerated from the liability to take all steps for the implementation of the judgment aforesaid.

After hearing learned counsel for the parties, we direct the Reserve Bank of India, the Comptroller and Auditor

General of India, Small Industries Development Bank of India (SIDBI), Union of India and the Indian Banks' Association to sit together and give a concrete suggestion so that the judgment could be implemented in its letter and spirit. They shall take all necessary steps to work out the actual amount to be payable.

It goes without saying that the petitioner or his representative shall also join in the said meeting and give his suggestion.

The report shall be submitted within eight weeks from today.

(Sukhbir Paul Kaur)
Court Master

(Sneh Lata Sharma)
Court Master