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ITEM NO.2

COURT NO.7

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 (CIVIL) NO(s). 360 OF 2009

RAVI SHANKAR BHUSHAN Petitioner(s)

VERSUS

UNION OF INDIA & ORS. Respondent(s)

(With office report)

WITH W.P(C) NO. 301 of 2005

(With office report)

Date: 09/12/2013 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.S. RADHAKRISHNAN
HON'BLE MR. JUSTICE A.K. SIKRI

For Petitioner(s) Mr. Colin Gonsalves, Sr.Adv.
Ms. Amiy Shukla,Adv.
Ms. Jyoti Mendiratta, Adv.

Ms. Kiran Suri, Adv.

For Respondent(s) Mr. Lalit Bhasin, Adv.
R.8,14,21, 27,28 Ms. Nina Gupta, Adv.
Ms. Ratna Dhingra, Adv.
Ms. Risha Mittal,Adv.

Ms. Bina Gupta ,Adv
Mr. Mudit Sharma, Adv.
Mr. Sanjay Gupta, Adv.
Mr. Ranjan Jha,Adv.
Mr. Parvez A. Khan, Adv.

Mr. Anurag Dayal Mathur, Adv.
Mr. P. Parmeswaran, Adv.

Mr. Karan Khanna, Adv.
Mr. Ram Swarup Sharma, Adv.
Mr. Dinesh Chandra Tripathi,Adv.

Mr. Rajesh Singh,Adv.

Mr. Sanjay Kunur, Adv.
Mr. R.N. Keshwani, Adv.

Mrs. Rachna Gupta, Adv.

Mr. Shreekant N. Terdal ,Adv

UOI Mr. K. Radhakrishnan,Sr.Adv.
Mr. A. Radhakrishnan,Adv.
Mr. Jitendera Mohapatra,Adv.
Ms. Seema Rao,Adv.
Mr. Sadman Ali,Adv.
Mr. Nawal Kishore Jha, Adv.
Mr. D.S. Mahra ,Adv

Mr. Rohit Rao N.,Adv.
Mr. Ananga Bhattacharyya,Adv.

Mr. B.K. Satija ,Adv

Mrs. S. Usha Reddy ,Adv

Mr. Sanjay Kapur,Adv.

Mr. Anmol Chandan,Adv.

Ms. Priyanka Das,Adv.

Ms. Praveena Gautam, Adv.

Mr. Rajiv Nanda ,Adv

Mr. Jitendra Kumar, Adv.

Mr. Raj Kishor Choudhary, Adv.

Mr. Abhijeet Kumar, Adv.

Mr. Alok Kumar, Adv.

Mr. T.S. Sidhu, Adv.

Ms. Pallavi Mohan, Adv.

Mr. Ganesh Kamath, Adv.

M/S. M.V. Kini & Associates

Mr. Awanish Sinha ,Adv

Mr. Shiv Ram Sharma ,Adv

Mr. B. Krishna Prasad, Adv.

RBI (R.5)

Mr. H.S. Parihar, Adv.

Mr. K.S. Parihar, Adv.

Mr. Rajesh Kumar, Adv.

Mr. Anupama Dhurve, Adv.

Mr. Mannoje Mehta, Adv.

M/s. Mitter & Mitter Co.

Ms. Meera Mathur, Adv.

UPON hearing counsel the Court made the following

O R D E R

Mr. K. Radhakrishnan, learned senior counsel appearing for respondent-Union of India submitted that he will impress upon the Union of India, Finance Secretary and Law Secretary and also insist for proper representation on behalf of the Comptroller and Auditor General of India (CAG). Even though the CAG has filed an affidavit, we are not in a position to get any assistance from the CAG, since CAG is left unrepresented before this Court. This Court has given various directions in its judgment reported in 2004 (11) SCC 1, and has constituted a Trust which is to be managed by the CAG as the Chairman and the Finance Secretary and Law Secretary, as ex-officio Members.

We are not in a position to know how much amount is now lying with the Trust and any efforts have been made by the Trust to collect the amount and its utilization. Even though the Indian Bank Association has indicated the amount, it is for the Trust to ascertain as to whether the entire amount has been received or not. Trust will also ascertain as to whether the amount collected is the correct amount to be collected from the various Banks, in accordance with the above mentioned judgment.

We may point out the objects and purpose of fund is laudable which is for the benefit of the physically handicapped persons, this fact may be borne in mind by the Trust.

List in the second week of January, 2014.

| (NARENDRA PRASAD)

| COURT MASTER

| | (RENUKA SADANA)

| | COURT MASTER

