

ITEM NOS.30+51

COURT NO.1

SECTION PIL-W

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

Writ Petition (Civil) No.1246/2020

ASHWINI KUMAR UPADHYAY

Petitioner(s)

VERSUS

UNION OF INDIA &amp; ORS.

Respondent(s)

WITH

W.P.(C) No.619/2020 (PIL-W)

(FOR ADMISSION; and, IA No.57771/2020 - FOR PERMISSION TO APPEAR  
AND ARGUE IN PERSON)

W.P.(C) No.559/2020

(FOR ADMISSION and I.R.; IA No.54129/2020 - FOR EXEMPTION FROM  
FILING O.T.; IA No.54990/2020 - FOR INTERVENTION/IMPLEADMENT; and  
IA No.54131/2020 - FOR EXEMPTION FROM FILING ORIGINAL  
VAKALATNAMA/OTHER DOCUMENT)

Date : 09-09-2022 These petitions were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE S. RAVINDRA BHAT

HON'BLE MR. JUSTICE PAMIDIGHANTAM SRI NARASIMHA

Counsel for the Parties:

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Mr. Ejaz Maqbool, AOR  
Mr. Shahid Nadeem, Adv.  
Mr. Saif Zia, Adv.

Dr. A.P. Singh, Adv.  
Mr. V.D. Singh, Adv.  
Ms. Geeta Chauhan, Adv.  
Ms. Pratima Rani, Adv.  
Ms. Richa Singh, Adv.  
Mr. Sadashiv, AOR

Ms. Bharti Tyagi, AOR  
Mr. Arun Agarwal, Adv.  
Mr. Vikash Kumar, Adv.

Mr. Aditya Sharma, AOR  
Mr. Ashwini Kr. Upadhyay, Adv.

Mr. Kabir Dixit, AOR

Mr. Shiv Sagar Tiwari, AOR

Mr. Bijan Kumar Ghosh, AOR

Mr. Dhawal Uniyal , AOR

Mr. Kamran Javed, Adv.

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

### PART-I

A Bench of two-Judges of this Court issued notice in Writ Petition (Civil) No.1246 of 2020 on 12.03.2021 whereafter this petition has come up before this Court on few occasions. However, Union of India has not yet put in any response.

Mr. Tushar Mehta, learned Solicitor General prays for and is granted two weeks' time to place his submissions on record by way of an affidavit in response.

Rejoinder, if any, be filed within a week thereafter.

### PART-II

Writ Petition (Civil) No.559 of 2020 raises similar issues. We, therefore, formally issue notice in this writ petition.

### PART-III

Mr. Ejaz Maqbool, learned Advocate submits that Writ Petition (Civil) Diary No.28081 of 2022 also raises similar issues. He prays that said writ petition may be taken on Board and notice be issued in the matter.

Writ Petition (Civil) Diary No.28081 of 2022 is taken on Board.

We also issue notice on Writ Petition (Civil) Diary No.28081 of 2022.

### PART-IV

Notice was issued by this Court on 26.03.2021 in Writ Petition (Civil) No.619 of 2020 and the matter was directed to be listed along with Writ Petition (Civil) No.1246 of 2020.

List Writ Petition (Civil) No.619 of 2020 along with Writ Petition (Civil) No.1246 of 2020.

### PART-V

Large number of applications have been filed seeking impleadment/intervention in the matter.

I.A. No.132906 of 2022 moved by M/s. KMNP Law, AOR is also taken on Board.

Considering the nature of controversy and questions involved, we allow all the impleadment/intervention applications and give liberty to the concerned applicants to intervene in the matter. The intervenors are permitted to file their written submission not exceeding more than five pages.

#### **PART-VI**

Considering the issue involved in these matters, in our view, the matters are eminently suitable to be heard by a Bench of three-Judges of this Court.

The Registry is directed to list these matters before the appropriate Court on 11.10.2022.

#### **PART-VII**

In the meantime, all the parties are directed to complete pleadings in the matter so that the matter is ripe for consideration on the next date.

The copies of all the intervention application may digitally be shared with the learned counsel appearing for various parties.

(MUKESH NASA)  
AR-cum-PS

(VIRENDER SINGH)  
BRANCH OFFICER