

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

IA No. 36, 38-57 and 58 in CIVIL APPEAL NO(s). 10660 OF 2010

CENTER FOR PIL & ORS. Appellant (s)

VERSUS

UNION OF INDIA & ORS. Respondent(s)

(for directions and office report)

Date: 17/04/2013 These IAs in Appeal were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI
HON'BLE MR. JUSTICE K.S. RADHAKRISHNAN

For Appellant(s) Mr. Pranav Sachdeva, Adv.

For Applicant(s) Dr. Subramanian Swamy, in person
in IA 36

For applicant(s) Mr. K.K. Venugopal, Sr. Adv.
in IA 38-57 and 58
Mr. H.P. Raval, ASG
Mr. Gopal Sankaranarayan, Adv.
Ms. Padma Lakshmi Nigam, Adv.
Mr. Rohit Bhat, Adv.
Mr. Rajiv Nanda, Adv.

For Respondent(s)
(CBDT)
Mr. A.S. Chandhiok, ASG
Mr. Mukul Gupta, Sr. Adv.
Mr. T.A. Khan, Adv.
Mr. Ritesh Kumar, Adv.
Ms. Honey Kumari, Adv.
Ms. Shweta Gupta, Adv.
Ms. Mallika Ahluwalia, Adv.
Ms. Anjali Chauhan, Adv.

Mr. Ram Jethmalani, Sr. Adv.

Mr. Ashok Desai, Sr. Adv.
Ms. Manali Singhal, Adv.
Mr. Mohit Auluck, Adv.

Mr. Saket Singh, Adv.
Mr. Kumar Ranjan Mishra, Adv.
Ms. Niranjana Singh, AOR

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

I.A. Nos.38-57 and 58 in Civil Appeal No.10660/2010

Shri Ram Jethmalani, learned senior counsel appearing for some of the non-applicants requests for an adjournment by saying that he is busy in a part heard matter before another Bench.
Shri K.K.Venugopal, learned senior counsel appearing for

CBI and Enforcement Directorate and Shri Ashok Desai, learned senior counsel appearing for some of the non-applicants in some of the applications and other learned counsel say that they do not have any objection if the request made by Shri Jethmalani is accepted.

In view of the above, hearing of these applications is adjourned to 01.05.2013.

The parties may, if so advised, file supplementary/additional/rejoinder affidavits latest by 23.4.2013. No affidavits filed thereafter shall be entertained by the Registry.

I.A. No.36 in Civil Appeal No.10660/2010

At the commencement of the hearing, Dr. Subramanian Swamy, the applicant informed the Court that after filing of the application the CBI has taken up investigation in relation to the issues raised in this application.

Shri Venugopal, learned senior counsel representing the CBI handed over three sealed envelopes containing Progress Report dated 20.02.2013, Note regarding investigation taken up by CBI regarding allegations about FIPB approval in AIRCEL MAXIS deal in Case No. RC DA1 2011 A 0022 vis-a-vis issues raised by Dr. Swamy in I.A. No.36 as also the response of the CBI to the Central Vigilance Commission's observations vide letter dated 11.03.2013. The sealed envelopes were opened in the Court. We have perused the same.

For further consideration of the issues raised in I.A. No.36, the case is adjourned to the second week of July, 2013.

In the meanwhile, the CBI shall make an endeavour to complete the investigation, as far as possible in RC DA1 2011 A 0022.

The Court Masters are directed to re-seal the envelopes. The needful has been done.

Shri Venugopal, learned senior counsel for the CBI made an oral request for modification of the direction contained in order dated 2.2.2012 to facilitate submission of the progress report directly by the CBI to the Court with copies to the Central Vigilance Commission and Enforcement Directorate so that the latter may directly send comments to this Court and the reports along with the comments of the Central Vigilance Commission and Enforcement Directorate can be considered by the Court at the same time.

The request made by Shri Venugopal is accepted and in modification of order dated 2.2.2012 it is directed that henceforth CBI shall directly file reports in this Court with copies to the Central Vigilance Commission and Enforcement Directorate. The Central Vigilance Commission and Enforcement Directorate shall send their comments/observations to the Court within two weeks of the receipt of the copies of the report from the CBI.

Shri Venugopal, learned senior counsel appearing for the Enforcement Directorate handed over another sealed envelope containing the Status Report on the investigation in FEMA and PMLA in 2G Spectrum Case for the period 24.10.2012 to 15.02.2013. The sealed envelopes were opened in the Court. We have perused the same. The Court Masters are directed to re-seal the envelope. We hope and trust that the Enforcement Directorate will make serious endeavour to finalise the investigation as early as possible.

| (Parveen Kr.Chawla)

| Court Master

| | (Phoolan Wati Arora)

| | Court Master