

ITEM No.2

COURT NO.11

SECTION XIV

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

CIVIL APPEAL NO(s). 10660 OF 2010

CENTER FOR PIL &amp; ORS.

Appellant (s)

VERSUS

UNION OF INDIA &amp; ORS.

Respondent(s)

(With appln(s) for permission to place addl. documents on record and  
with prayer for interim relief and office report)  
[For further direction]

Date: 10/02/2011

This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI  
HON'BLE MR. JUSTICE ASOK KUMAR GANGULY

For Appellant(s)

Mr. Prashant Bhushan, Adv.

For Respondent(s)

Mr.G.E.Vahanvati, AG  
Ms.Indira Jaising, ASG  
Ms.Sonam Anand, Adv.  
Mr.D.D.Kamat, Adv.

For C.B.I.  
& ED

Mr.K.K.Venugopal, Sr.Adv.  
Mr.H.P.Raval, ASG  
Ms.Shweta Verma, Adv.  
Mr.G.Gopal, Adv.  
Mr.Rajiv Nanda, Adv.  
Mr.Arvind K.Sharma, Adv.

Mr.Mukul Gupta, Sr.Adv.  
Mr.Anand Verma, Adv.

Mr.S.Bhansali, Adv.  
Mr.Prashant Kumar, Adv.

Ms.Anitha Shenoy, Adv.  
Ms.Rashmi Nandakumar, Adv.

UPON being mentioned the Court made the following  
O R D E R

At the commencement of hearing, Shri K.K. Venugopal,  
2

learned senior counsel appearing for the CBI and the Enforcement  
Directorate produced three sealed envelopes (two sets), which were  
opened in the Court in the presence of the learned counsel for the  
parties. The envelopes contain the following reports:

1. Progress report dated 10.2.2011 on CBI Case No.RC DAI  
2009A 0045 (2G Spectrum Case).

2. CBI report in PE.BD1/2010/E/0002 BS&FC/CBI/New Delhi and annexure to that report (both spiral bound).

3. Status report prepared by the Directorate of Enforcement for the period from 27.11.2010 to 8.2.2011.

On being asked by the Court, Ms. Indira Jaising, learned Additional Solicitor General made available the report prepared by one man Commission headed by Justice Shivaraj V.Patil (Retired).

Shri Harin P.Raval, learned Additional Solicitor General representing the Directorate of Enforcement produced status report (as on 26.11.2010) prepared by the Directorate of Enforcement.

Shri Venugopal took us through the salient features of the status reports and stated that the CBI will definitely file chargesheet by 31.3.2011. Shri Venugopal also gave out that today itself four officers have been included into the investigation team for ensuring completion of the investigation within the time schedule disclosed before the Court.

We have gone through the reports and note with satisfaction that the Director, CBI has given due importance to the 2G Spectrum case.

In reply to the Court's query as to what action has been taken

3

against the beneficiaries of UAS licences given in January, 2008 and, thereafter, who prima facie appear to have conspired for causing loss to the public revenue, Shri Venugopal made a request for adjournment for two weeks to enable him to seek necessary instructions.

We also indicated to the learned Attorney General that a separate Special Court should be established to try the case(s) relating to 2G Spectrum. The learned Attorney General responded to this by stating that he may be given two weeks' time to consult the concerned authorities and make a statement on this issue.

The request of the learned Attorney General and Shri Venugopal is accepted and the case is adjourned to 01.03.2011 for further consideration.

Since this Court is monitoring the investigation of the 2G Spectrum case, we direct that no Court shall pass any order which may, in any manner, impede the investigation being carried out by the Central Bureau of Investigation and the Directorate of Enforcement.

The Court Master is directed to re-seal all the reports, which shall be kept under lock and key by the Secretary General of this Court.

(Satish K.Yadav)  
Court Master

(Phoolan Wati Arora)  
Court Master