

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

Item No.2 :

I.A.Nos.78 & 82-84, 85 & 86 of 2017 in Civil Appeal No(s).
10660/2010

CENTER FOR PIL & ORS.

Appellant(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

for directions, intervention and impleadment and office report)

Item No.37 :SLP(Crl.)No...../2017 (Diary No.3857/2017)Special Public Prosecutor 2G Spectrum Scam Cases
Vs.

Dayanidhi Maran & Ors.

(With office report)

Date : 03/02/2017 These matters were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE N.V. RAMANA

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD

For Appearing parties :

Mr. Prashant Bhushan,Adv.

Mr. Pranav Sachdeva,Adv.

Ms. Neha Rathi,Adv.

Mr. Mukul Rohatgi,AG

Mr. Neeraj Kshan Kaul,ASG

Mr. L. Vishwanathan,Adv.

Ms. Gauri Rasgotra,Adv.

Mr. Raunak Dhillon,Adv.

Mr. George Varghese,Adv.

For M/s. Cyril Amarchand Mangaldas,Adv.

Ms. Pinky Anand,ASG

Mr. P.S. Narasimha,ASG

Mr. P.K. Mullick,Adv.

Mr. Rajiv Nanda,Adv.

Mr. Tushar Bakshi, Adv.
Mr. Rajesh Ranjan, Adv.
Ms. Swarupama Chaturvedi, Adv.
Ms. Snidha Mehra, Adv.
Mr. Karan Seth, Adv.
Mr. Ansh Singh Luthra, Adv.
Ms. Somya Rathore, Adv.
Ms. Saudamini Sharma, Adv.
Ms. Kritika Sachdeva, Adv.
Mr. R.R. Rajesh, Adv.
Mr. B.K. Prasad, Adv.
Mr. G.S. Makker, Adv.
Mr. K. Parmeshwar, Adv.

Mr. Tushar Mehta, ASG
Mr. Arijit Prasad, Adv.
Mr. Santosh Kumar, Adv.
Mr. Rajat Nair, Adv.
Mr. Pranav Kumar, Adv.
Mr. M.K. Maroria, Adv.
Mr. Rajesh Ranjan, Adv.
Mr. T.A. Khan, adv.
Ms. Sadhna Sandhu, Adv.
Ms. Anil Katiyar, Adv.

Mr. Anand Grover, Sr. Adv.,
Spl. Public Prosecutor (In-person)
Ms. Sonia Mathur, Adv.,
Spl. Public Prosecutor
Mr. Mihir Samson, Adv.
Ms. Chitralkha Das, Adv.

Dr. A.M. Singhvi, Sr. Adv.
Mr. Siddharth Luthra, Sr. Adv.
Mr. Mahesh Agarwal, Adv.
Ms. Shally Bhasin, Adv.
Ms. Neeha Nagpal, Adv.
Mr. Chaitanya Safaya, Adv.
Mr. Akshat Hansaria, Adv.
Ms. Shruti Garg, Adv.
Mr. Avishkar Singhvi, Adv.
For Mr. E.C. Agrawala, Adv.

Mr. R. Venkataramani, Sr. Adv.
Ms. Nandini Gore, Adv.
Mr. Abhinay, Adv.
Ms. Neha Khandelwal, Adv.
Mr. A. Radhakrishnan, Adv.
Nr. Anish R. Shah, Adv.

Mr. Yashraj Singh Bundela, Adv.
Mr. Sandeep Kapur, Adv.
Mr. Vir Singh Sandhu, Adv.
Ms. Manik Karanjawala, Adv.
Mr. Ishan Shivakumar, Adv.
M/s. Karanjawala & Co., Adv.

Mr. Arvind Datar, Sr. Adv.
Ms. Shyel Trehan, Adv.
Mr. E. Vahanvati, Adv.
Ms. Priyanka Roy, Adv.
For Ms. Liz Mathew, Adv.

Ms. Manali Singhal, Adv.
Mr. Santosh Sachin, Adv.
Mr. Abhijat P. Medh, Adv.
Mr. Rohit Kaul, Adv.
Mr. Deepak Singh Rawat, Adv.

Mr. Santosh Kumar Tripathi, Adv.
Mr. S.K. Verma, Adv.
Mr. Abhinav Mukerji, Adv.
Mr. Arvind Kumar Sharma, Adv.
Mr. Navin Chawla, Adv.
Mr. Anupam Lal Das, Adv.
Mr. Dharmendra Kumar Sinha, Adv.
Mr. Gaurav Kejriwal, Adv.
Mr. Devvrat, Adv.
Mr. Siddharth Singla, Adv.
Ms. S. Ramamani, Adv.
Ms. Niranjana Singh, Adv.
Mr. Kaushik Poddar, Adv.
M/s Suresh A. Shroff & Co., Adv.
Mr. Chandra Prakash, Adv.
Mr. Shreekant N. Terdal, Adv.
Mr. Vishwajit Singh, Adv.

Dr. Subramanian Swamy, In-person

In-person

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

IA Nos.78, 82-84, 85 & 86 of 2017 in Civil Appeal
No.10660/2010 :

1. We have heard learned counsel for the parties.

2. We are informed, that in furtherance of the Motion Bench order dated 6th January, 2017, publication was duly made in two leading newspapers in Malaysia, and yet, neither of the four accused mentioned in paragraph 5 of the order dated 6th January, 2017, namely, accused Nos.iii-Mr. Augustus Ralph Marshall, iv-Mr. Ananda Krishna Tatparanandam, vi-M/s. Astro All Asia Networks Limited and vii-M/s. Maxis Communications Berhad, Malaysia, have responded to the summons issued to them, nor have they entered appearance before this Court, for seeking modification of the above order (dated 6th January, 2017).

3. The order dated 6th January, 2017, suggested a course of action, that may be adopted for procuring the attendance of the above-mentioned accused persons. It is now submitted, that the suggested manner may not be appropriate. We agree with the submissions. We are therefore of the view, that it is necessary to clearly express, for the understanding of the accused concerned, that some other appropriate order for achieving the purpose, besides the one suggested by our order dated 6th January, 2017, may also be adopted. In such a situation also, in case, the accused do not respond or enter appearance, it will not be open to any of them to raise any objection, with reference to any monetary loss, that may be caused, as a result of our order.

4. In order to demonstrate the position highlighted during the course of hearing, on behalf of M/s. Aircel Ltd. and M/s. Dishnet Wireless Ltd., learned counsel seeks a short adjournment, to enable him to obtain instructions, and place further material on the record of this case. Prayer is allowed.

5. The needful shall be done by 8th February, 2017.

6. List for further consideration on 10th February, 2017.

(SLP(Crl.)No...../2017 (Diary No.3857/2017) :

1. List the matter on 8th February, 2017.
2. Liberty to amend the petition.
3. Petitioner to file amended petition by 6th February, 2017.

(Sarita Purohit)
Court Master

(Renuka Sadana)
Assistant Registrar