

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

I.A. No. 8 in Writ Petition(Civil) No.160/2002

MOHD. ASLAM @ BHURE

Petitioner (s)

VERSUS

UNION OF INDIA & ORS.

Respondent (s)

(for early hearing) (for directions)

Date : 21/02/2003 This Petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE DR. JUSTICE AR. LAKSHMANAN

For Petitioner (s) Mr. O P Sharma, Sr. Adv.
Ms. Nanita Sharma, Adv.
Mr. Vivek Sharma, Adv.
Mr. Abhishek Atrey, Adv.
Mr. Aamer Ahmed Madni, Adv.
Mr. Vijay Kumar Ravi, Adv.
Mr. M.M. Kashyap, Adv.(NP)

For Respondent (s)
Union of India Mr. K N Raval, Solicitor General
Mr. A Mariarputham, Adv.
Mr. P. Parmeswaran, Adv.
(also for applicant in IA 8)

VHP Mr. P S Mishra, Adv.
Mr. C D Singh, Adv.
Mr. Manu Shanker Mishra, Mr. S Chandra
Shekhar, Mr. Vishnu Sharma, Mr. R K Singh,
Mr. Tathajat Hanswardhan, Ms. Swarupa Reddy,
Mr. Pradeep Kr. Choudhary and Ms. Prerna
Kumari, Advs.

United Lawyers Front Mr. Ravi Prakash Gupta, Adv.
Mr. Rakesh Kumar Gupta, Adv.
Mr. Sushendra Kumar Chauhan, Adv.

All India Muslim Law Personal Board Mr. Kapil Sibal, Sr. Adv.
Mr. S S Ray, Sr. Adv.
Dr. Rajeev Dhavan, Sr. Adv.
Mr. Y H Muchhala, Sr. Adv.
Mr. Huzefa Ahmadi, Adv.
Mr. Ejaz Maqbool, Adv.
Mr. Nakul Dewan, Adv.

All India Babri Masjid Action Committee Dr. Rajeev Dhavan, Sr. Adv.
Mr. Shakeel Ahmed, Adv.

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Mohd. Hashim Mr. S S Ray, Sr. Adv.

Resp. No. 9	Mr. Abdul Mannan, Adv. Mr. Z Jilani, Adv. Mr. M A Siddiqui, Adv.
State of U.P.	Mr. Shakil Ahmed Syed, Adv. Mr. R.C. Verma, Adv. Mr. Mukesh Verma, Adv. Mr. Manish Shanker, Adv.
Babri Masjid Coordi- nation Committee	Mr. Anis Suhrawardy, Adv. Ms. Sandhya Goswami, Adv. Ms. Hemantika Wahi, Adv.
For Applicant (s) in IAS 9 & 10	Mr. Tripurari Ray, Adv. Mr. Vishwajit Singh, Adv.

UPON hearing counsel the Court made the following

O R D E R

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The present writ petition was filed on 7th March, 2002 for different reliefs. On 13th March, 2002, a Bench of three Judges, while entertaining the petition, issued rule returnable after 10 weeks. The Court also passed an interim order on the said date which was modified on 14th March, 2002. Subsequently, certain more parties were impleaded in the writ petition. When the matter was placed before Hon'ble the Chief Justice on 3rd September, 2002, it was directed that the matter be posted before a Bench of five Judges. The matter was listed before the Court on 24th September, 2002 but did not reach for hearing. Some time in October 2002, the Union of India filed a counter affidavit in the writ petition.

On 4th February, 2003, the Union of India filed an application which was registered as I.A. No. ...3/-

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8/2003, inter alia, praying for vacation of the interim order dated 13/14th March, 2002 and fixing an early date for hearing of the writ petition. A counter affidavit has been filed to this application by the petitioner wherein the prayer for vacation of the interim order has been opposed. However, there is an agreement between the parties to the effect that the case may be heard at an early date.

We are of the view that it would be just and expedient if the matter is heard and disposed of at an early date. We, accordingly, direct that the main writ petition be listed before a Bench of five Judges on 6th March, 2003 to be nominated by Hon'ble the Chief Justice of India. In case, for some reason, the main matter is adjourned on that day, the Bench would consider the first prayer of the Union of India in I.A. No. 8/2003 for vacation of the interim order.

The respondents in the writ petition and I.A. No. 8/2003, if they so choose, may file counter affidavit within one week from today and the rejoinder

may be filed on or before 6th March, 2003.

I.A. Nos. 9 and 10 filed by Sri Raj Rajeshwari
Sri Sitaram Waqf be also listed on 6th March, 2003 at
the time of final disposal of the main matter.

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(D.P. WALIA)
Court Master

(S. KRISHNAN)
Court Master