

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(s) (Civil) No(s).494/2012

JUSTICE K.S.PUTTASWAMY (RETD) AND ANR.

Petitioner(s)

VERSUS

UNION OF INDIA AND ORS.

Respondent(s)

[FOR INTERIM DIRECTION]

WITH

T.C. (C) No. 151/2013 (XVI -A); T.C. (C) No. 152/2013 (XVI -A);

W.P. (C) No. 833/2013 (PIL-W); W.P. (C) No. 829/2013 (PIL-W);

T.P. (C) No. 1797/2013 (XVI -A); W.P. (C) No. 932/2013 (PIL-W);

T.P. (C) No. 1796/2013 (XVI -A);

CONMT.PET. (C) No. 144/2014 In W.P. (C) No. 494/2012 (PIL-W);

T.P. (C) No. 313/2014 (XVI -A); T.P. (C) No. 312/2014 (XVI -A);

SLP(Cr1) No. 2524/2014 (II-A); W.P. (C) No. 37/2015 (PIL-W);

W.P. (C) No. 220/2015 (PIL-W);

CONMT.PET. (C) No. 674/2015 In W.P. (C) No. 829/2013 (PIL-W);

T.P. (C) No. 921/2015 (XVI -A);

CONMT.PET. (C) No. 470/2015 In W.P. (C) No. 494/2012 (PIL-W);

CONMT.PET. (C) No. 444/2016 In W.P. (C) No. 494/2012 (PIL-W);

CONMT.PET. (C) No. 608/2016 In W.P. (C) No. 494/2012 (PIL-W);

W.P. (C) No. 797/2016 (PIL-W)

(FOR [PERMISSION TO FILE ANNEXURES] ON IA 4/2016

FOR [DIRECTIONS] ON IA 5/2017

FOR STAY APPLICATION ON IA 6/2017);

CONMT.PET. (C) No. 844/2017 In W.P. (C) No. 494/2012 (PIL-W);

W.P. (C) No. 342/2017 (PIL-W)

(FOR INTERIM PRAYERS FOR GRANT OF INTERIM RELIEF ON IA 1/2017 and

IA No.129017/2017-impleading party and IA

No.129021/2017-CLARIFICATION/DIRECTION and IA

No.129027/2017-impleading party and IA

No.129032/2017-CLARIFICATION/DIRECTION);

W.P. (C) No. 372/2017 (X); W.P. (C) No. 1058/2017 (PIL-W);

W.P. (C) No. 966/2017 (PIL-W)

(FOR ADMISSION and IA No.102155/2017-GRANT OF INTERIM RELIEF);

W.P. (C) No. 1014/2017 (PIL-W)

(FOR ADMISSION and I.R. and IA No.107091/2017-GRANT OF INTERIM RELIEF and IA No.122999/2017-impleading party);

W.P. (C) No. 1002/2017 (PIL-W); and

W.P. (C) No. 1056/2017 (X).

Date : 14-12-2017 These matters were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE A.K. SIKRI

HON'BLE MR. JUSTICE A.M. KHANWILKAR

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD

HON'BLE MR. JUSTICE ASHOK BHUSHAN

For Petitioner(s) Mr. Shyam Divan, Sr. Adv.
Mr. Vipin Nair, Adv. [AOR]
Mr. P.B. Suresh, AD.
Mr. Udayaditya Banerjee, Adv.
Mr. S. Prasanna, Adv.
Ms. Samiksha Godiyal, Adv.
Ms. Samiksha Godiyal, Adv.
Mr. Prithu Garg, Adv.
Mr. Abhay Pratap Singh, Adv.
Mr. Govind Manoharan, Adv.

Mr. Shyam Divan, Sr. Adv.
Mr. pratap Venugopal, Adv.
Mr. Udayaditya Banerjee, Adv.
Mr. Prasanna S., Adv.
Ms. Samiksha Godiyal, Adv. for
M/s. K.J. John And Co., Advs. [AOR]

Mr. Mayank Aggarwal, Adv.
Mr. Pradeep Kr. Aggarwal, Adv.

Mr. Gopal Subramaniam, Sr. Adv.
Ms. Aishwarya Bhati, Adv. [AOR]
Mr. Jaideep Singh, Adv.
Gp. Capt. K.S. Bhati, Adv.
Mr. T. Gopal, Adv.
Mr. Amit Verma, Adv.
Ms. Tanuja Patra, Adv.
Mr. Dinesh Kumar, Adv.
Ms. Ritu Apurva, Adv.

Mr. Prashant Bhushan, Adv. [AOR]
Mr. Omana Kuttan K.K., Adv.
Mr. Govind Jee, Adv.

Mr. Abhishek Atrey, Adv. [AOR]

Mr. K.V. Vishwanathan, Sr. Adv.
Mr. Shadan Farasat, Adv. [AOR]
Ms. Vrinda Bhandari, Adv.
Mr. Prasanna, Adv.

Ms. Jyoti Mendiratta, AOR

Mr. Anish Kumar Gupta, Adv. [AOR]
Mr. Avdhesh Kumar Singh, Adv.
Mr. R.K Rajwanshi, Adv.
Mr. Chandra Shekhar Suman, Adv.
Ms. Deep Shikha Bharti, Adv.
Ms. Rita Gupta, Adv.

Mr. Sanjay R. Hegde, Sr. Adv.
Mr. Pranjal Kishore, Adv.

Mr. Gopal Subramonium, Sr. Adv.
Ms. Archana Pathak Dave, Adv. [AOR]
Mr. Talha Abdul Rahman, Adv.
Mr. Ankur Kashyap, Adv.
Mr. Prateek Chadha, Adv.
Mr. Jayavardhan Singh, Adv.
Mr. Pawan Bhushan, Adv.

Mr. P.R. Kovilan Poonkuntran, Adv.
Ms. Awasthi M.K., Adv.
Mr. V. Vasudevan, Adv.
Mrs. Geetha Kovilan, AOR

Ms. Meenakshi Arora, Sr. Adv.
Mr. Rahul Narayan, Adv. [AOR]
Mr. Apar Gupta, Adv.
Mr. Shashwat Goel, Adv.
Mr. Gautam Bhatia, Adv.
Ms. Annaya Ghose, Adv.
Ms. Bhawna, Adv.
Mr. Anand Sethi, Adv.

Mr. Pranaya Kumar Mohapatra, AOR
Mrs. Pragya Baghel, AOR

Mr. Arvind Datar, Sr. Adv.
Mr. Prasanna S., Adv.
Mr. Deepayan Mandal, Adv. [AOR]

Mr. Anand Grover, Sr. Adv.
Mr. Anando Mukherjee, Adv. [AOR]
Mr. Prasanna S., Adv.
Ms. Stuti Vatsa, Adv.

Mr. K.V. Vishwanathan, Sr. Adv.
Ms. Vrinda Bhandari, Adv.
Mr. T. V. S. Raghavendra Sreyas, Adv. [AOR]
Mrs. Gayatri Gulati Sreyas, Adv.
Mr. N. Sai Vinod, Adv.

Mr. Amit Meharia, Adv.
Ms. Tanishtha Singh, Adv.
Ms. Rishita, Adv. for
M/S. Meharia & Company, AOR

For Respondent(s)/
Applicant (s)

Mr. K.K. Venugopal, Attorney General for India
Mr. Zoheb Hossain, Adv. [AOR]
Mr. Ankur Talwar, Adv.
Ms. Shraddha Deshmukh, Adv.
Mrs. Anil Katiyar, Adv.
Mr. A. Gulati, Adv.
Mr. K. Dangwal, Adv.
Mr. Piyush Goyal, Adv.

Ms. Palesh Maheshwari, Adv.
Mr. Fahad Khan, Adv.
Mr. Rajat Nair, Adv.

M/S. Lawyer S Knit & Co, AOR

Mr. Amit Meharia, Adv.
Ms. Tanishtha Singh, Adv.
Ms. Rishita, Adv. for
M/S. Meharia & Company, AOR

Mr. Sajan Poovayya, Sr. Adv.
Mr. Priyadarshi Banerjee, Adv.
Mr. Prati Bhanu S. Kaarola, Adv.
Mr. Saransh Kumar, Adv.
Mr. Saransh Jain, Adv.
Mr. Madhavam Sharma, Adv.
Mr. Ramakrishna Meka, Adv.
Mr. Pratik Rajopadhyay, Adv.

Mr. E. C. Agrawala, AOR
Mr. Milind Kumar, AOR
Ms. Aishwarya Bhati, AOR

Mr. M. Shoeb Alam, Adv. [AOR]
Ms. Fauzia Shakil, Adv.
Mr. Ujjwal Singh, Adv.
Mr. Mojahid Karim Khan, Adv.

Mr. Dinkar Kalra, AOR

Ms. Vimla Sinha, Adv.
Mr. Gopal Singh, Adv. [AOR]

Mr. Gopal Singh, Adv. [AOR]
Mr. Rituraj Biswas, Adv.

Ms. Rashmi Singhania, Adv. [AOR]

Mr. Jayant Bhushan, Sr. Adv.
Mr. Ketan Paul, Adv.
Ms. Reeja Varghese, Adv.
Mr. Chirayu Jain, Adv.
Mr. Tushar Bhushan, Adv.

Mr. Jayant Bhushan, Sr. Adv.
Mr. Kuldeep S. Parihar, Adv.
Mr. H. S. Parihar, Adv. [AOR]

Mr. Bhagirath Patel, Adv.
Mr. Mohit D. Ram, Adv. [AOR]

Mr. S. Udaya Kumar Sagar, Adv. [AOR]
Ms. Bina Madhavan, Adv.
Ms. Elizabeth Antony, Adv.

Mr. Guntur Prabhakar, AOR

Mr. Tapesh Kumar Singh, Adv. [AOR]
Mr. Aditya Pratap Singh, Adv.

Mr. Gopal Sankaranarayanan, Adv.
Ms. Savita Singh, Adv. [AOR]
Mr. Shrutunjay Bhardwaj, Adv.
Mr. Shanu Agrawal, Adv.
Ms. Veera Mahuli, Adv.

Mr. Jayant Mohan, AOR

Mr. Sanjay Kapur, Adv. [AOR]
Ms. Megha Karnwal, Adv.
Ms. Mansi Kapur, Adv.
Ms. Shubhra Kapur, Adv.

Mr. C.A. Sundaram, Sr. Adv.
Mr. Nishant Ramakantrao Katneshwarkar, Adv. [AOR]
Ms. Deepa M. Kulkarni, Adv.

Mr. C.A. Sundaram, Sr. Adv.
Ms. Rohini Misra, Adv.
Mr. Zoheb Hussain, Adv.

Mr. Ranjan Mukherjee, AOR

Mr. K.N. Madhusoodhanan, Adv.
Ms. Nitya Madhusoodhanan, Adv.
Mr. T. G. Narayanan Nair, Adv. [AOR]

Mr. V. G. Pragasam, Adv. [AOR]
Mr. S. Prabu Ramasubramanian, Adv.
Mr. S. Manuraj, Adv.
Mr. Jagjit Singh Chhabra, AOR

Mr. Jatinder Kumar Bhatia, Adv. [AOR]
Mr. Ashutosh Kumar Sharma, Adv.

Mr. Abhinav Mukerji, AOR
Mr. Mishra Saurabh, AOR
Mr. Manish Vashishtha, AOR
Mr. Anil Grover, AAG
Mr. Satish Kumar, Adv.
Ms. Noopur Singhal, Adv.
Mr. Sanjay Kumar Visen, Adv. [AOR]

Mr. K.V. Vijayakumar, Adv. [AOR]
Ms. Maitreyee Mishra, Adv.

Mr. Karan Bharihoke, Adv. [AOR]

Ms. Ruchi Kohli, AOR

Mr. Shamit Mukherjee, Adv.
Mr. Manoj K. Mishra, Adv. [AOR]

Ms. Aruna Mathur, Adv.
Mr. Avneesh Arputham, Adv.
Ms. Anuradha Arputham, Adv.
Ms. Simran Jeet, Adv. for
M/s. Arputham Aruna And Co, AOR

Mr. J.S. Attri, Sr. Adv.
Mr. Varinder Kumar Sharma, Adv. [AOR]
Mr. Chander Nand Jha, Adv.

Mr. K.T.S. Tulsi, Sr. Adv.
Mr. Fuzail Ahmed Ayubbi, Adv. [AOR]
Ms. Ashima Mandla, Adv.
Mr. Ibad Mushtaq, Adv.
Ms Pallavi Malhotra, Adv.
Ms. Mandakini Singh, Adv.
Ms. Priyanka Aggarwal, Adv.
Mr. Siddhant Sharma, Adv.
Mr. G. Bhargava, Adv.
Mr. A. Garaz Khan, Adv.
Mr. Navandeep Singh Matta, Adv.
Mr. Kuber Buuddh, Adv.

M/S. Corporate Law Group, AOR

Mr. Jugal Kishore Gilda, Adv. Gen.
Mr. Aniruddha P. Mayee, Adv. [AOR]
Mr. Chirag Jain, Adv.

Mr. Garvesh Kabra, AOR
Mr. Harish Pandey, AOR

Mr. R. Sudhinder, Adv.
Mr. Ashok Mathur, Adv. [AOR]
Ms. Amrita Sarkar, Adv.

Mr. Shiv Mangal Sharma, AAG
Mr. Lalit Mohapatra, Adv.
Ms. Prachi Priyadarshini, Adv.

Mr. Anip Sachthey, AOR

Mr. Rakesh Dwivedi, Sr. Adv.
Ms. Jesal Wahi, Adv.
Ms. Sanskriti, Adv.
Ms. Shodhika Sharma, Adv.
Mr. Zoheb Hussain, Adv.
Ms. Hemantika Wahi, Adv. [AOR]

Ms. Anitha Shenoy, AOR
Dr. (mrs.) Vipin Gupta, AOR

Mr. Soumitra G. Chaudhuri, Adv.
Mr. Chanchal Kumar Ganguli, Adv. [AOR]

Intervenor-in-person, AOR

Mr. Amit Sharma, Adv. [AOR]
Mr. Dipesh Sinha, Adv.
Ms. Ayiala Imti, Adv.

Mr. Nishe Rajen Shonker, Adv.
Ms. Anu K. Joy, Adv.
Mr. Reegan. S. Bel, Adv.
Mr. Subash, Adv.

Applicant-in-person, AOR

Mr. Arvind Datar, Sr. Adv.
Mr. Nipun Saxena, Adv.
Mr. Namit Saxena, Adv.
Ms. Pallavi Pratap, Adv. [AOR]
Mr. Devanshu Sajlan, Adv.

Mr. Jogy Scaria, AOR

Mr. Wills Mathews, Adv.
Mr. Rabin Majumder, Adv. [AOR]

Mrs. Vanita Bhargava, Adv.
Mr. Ajay Bhargava, Adv.
Ms. Abhisar Bairagi, Adv. for
M/S. Khaitan & Co., AOR

Mr. Harsh Kaushik, AOR
Mr. K. R. Sasiprabhu, AOR

Mr. Koshy John, Adv.
Ms. Anusha Natarajan, Adv.
Mrs. Pragya Baghel, Adv. [AOR]

Mr. Bhupesh Narula, Adv.
Mr. K.V. Jagdishvaran, Adv.
Mrs. G. Indira, Adv.

- 8 -

Dr. Lalit Bhasin, Adv.
Ms. Nina Gupta, Adv.
Ms. Palak Chadha, Adv.
Mr. Mudit Sharma, Adv.

Mr. Leishangthem Roshmani Kh., Adv.
Ms. Maibam Babina, Adv.

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

Heard Mr. Shyam Divan, learned senior counsel; Mr. Gopal Subramonium, learned senior counsel; Mr. Arvind Datar, learned senior counsel; Mr. K.T.S. Tulsi, learned senior counsel; Mr. Anand Grover, learned senior counsel; Mr. K.V. Vishwanathan, learned senior counsel for the petitioners and Mr. K.K. Venugopal, learned Attorney General for India on behalf of Union of India.

Orders reserved on the interim prayer.

(Subhash Chander)
AR-cum-PS

(H.S. Parasher)
Assistant Registrar