

ITEM NO.901 & 902

COURT NO.1

SECTION PIL-W

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)

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

W.P. (C) No. 220/2015 (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)

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

W.P. (C) No. 833/2013 (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)

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

W.P. (C) No. 932/2013 (PIL-W)

W.P. (C) No. 37/2015 (PIL-W)

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

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

W.P. (C) No. 372/2017 (X), WP(C) No. 342/2015

Date : 19-07-2017 This Matter was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE J. CHELAMESWAR

HON'BLE MR. JUSTICE S.A. BOBDE

HON'BLE MR. JUSTICE R.K. AGRAWAL

HON'BLE MR. JUSTICE ROHINTON FALI NARIMAN

HON'BLE MR. JUSTICE ABHAY MANOHAR SAPRE

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL

HON'BLE MR. JUSTICE S. ABDUL NAZEER

For Petitioner(s) Mr. Anish Kumar Gupta, Adv.
In WP 494/2012

For Petitioner(s) In TC 151/2013	Mr. Arvind Datar, Sr. Adv. Mr. Gautam Batra, Adv. Ms. Geetha Kovilan, Adv. Mr. P.R. Kovilan, Adv. Mr. M.K. Aswathi, Adv.
For Petitioner(s) In TC 152/2013	Ms. Meenakshi Arora, Sr. Adv. Mr. Rahul Narayan, Adv. Mr. Apar Gupta, Adv. Mr. Gautam Bhatia, Adv. Ms. Ananya, Adv. Mr. Shashwat Goel, adv. Ms. Bhavna, adv. Ms. Kritika, Adv.
For Petitioner(s) In WP 833/2013	Mr. Anand Grover, Sr. Adv. Mr. Shadan Farasat, Adv. Ms. Tripti Tandon, Adv. Ms. Priyam Liz Cherian, Adv. Mr. Suraj, Adv. Mr. Lkorraine M, Adv. Mr. S. Rao, Adv. Mr. Vijayant singh, adv. Mr. Anindo Mukherjee, Adv. Mr. Nipun Saxena, Adv. Mr. R. Deo, Adv.
For Petitioner(s) In WP 829/2013, wp220/2015,cp 674/ 2015, 797/2016	Mr. Shyam Divan, Sr. Adv. Mr. Pratap Venugopal, Adv. Ms. Surekha Raman, Adv. Mr. Udayaditya Banerjee, Adv. Mr. Prasanna S, Adv. Ms. Niharika, Adv. Ms. Kanika Kalaiyarasan, Adv. Ms. Sameeksha, Adv. Mr. Apar Gupta, Adv.
For Petitioner(s) In WP 932/2013, CP 470/2015	Dr. Abhishek Atrey, Adv. Mr. Ravindra Lokhande, Adv.
For Petitioner(s) In CP 144/2014, 444/2016, 608/2016 in WP 494/2012	Ms. Aishwarya Bhati, Adv. Mr. Jaideep Singh, adv. Ms. Neha Meera, Adv. Ms. Heena Khan, Adv.
For Petitioner(s) In TP 313 & 312/ 2014 For Petitioner(s) In WP 37/2015	Ms. Tannishtha Singh, Adv. Ms. Rishita Mall, Adv. for M/s Meharia & Co., AOR Mr. Gopal Subramanium, Sr. Adv. Mr. Jaideep Singh, Adv.

Ms. Archana Pathak Dave, AOR
 Mr. Talha Abdul Rahman, Adv.
 Mr. Ankur Kashyap, Adv.
 Mr. Prateek Chadha, Adv.
 Mr. Pavan Bhushan, Adv., Mr. Utkarsh Saxena, Adv.
 Mr. Jayavardhan Singh, Adv.
 Mr. Eklavya Vasudev, Adv.
 Ms. Radhika Sharma, Adv.

For Petitioner(s)
 In CP 844/2017 Ms. Neha Rathi, Adv.
 Mr. Pranav Sachdeva, Adv.
 for Mr. Prashant Bhushan, AOR

For Petitioner(s)
 In WP 342/2015 Mr. Shyam Divan, Sr. Adv.
 Mr. Vipin Nair, AOR
 Mr. P.B. Suresh, Adv.
 Mr. Udayaditya Banerjee, Adv.
 Mr. Abhay Pratap Singh, Adv.

For Petitioner(s)
 in WP 372/2017 Mr. Chitta Ranjan Mishra, Adv.
 Mr. Bhanu Pratap Singh, Adv.
 for Mr. Pranaya Kumar Mohapatra, AOR

Mr. Soli J. Sorabjee, Sr. Adv.

For Respondent(s)
 (UOI) and for
 petitioner(s) in
 TP 921/2015 & SR
 2524/2014 Mr. K.K. Venugopal, Attorney General for India
 Mr. Tushar Mehta, ASG
 Mr. R. Balasubramanian, Adv.
 Mr. Prabhas Bajaj, Adv.
 Mr. Ankur Talwar, Adv.
 Mr. Zoheb Hossain, Adv.
 Ms. Shraddha Deshmukh, Adv.
 Mr. Arghya Sengupta, Adv.
 Ms. Aswati, Adv.
 Ms. Charanya, Adv.

For State of
 Maharashtra Mr. C.A. Sundaram, Sr. Adv.
 Mr. Nishant R. Katneshwarkar, Adv.
 Ms. Rohini Musa, Adv.
 Mr. Abhishek Gupta, Adv.
 Mr. Zafar Inayat, Adv.
 Mr. Apoorv Tripathy, Adv.

State of Gujarat Mr. Rakesh Dwivedi, Sr. Adv.
 Ms. Hemantika Wahi, AOR
 Ms. Jesal Wahi, Adv, Ms. Shodhika Sharma, Adv.
 Ms. Sansriti Pathak, Adv.
 Ms. Apoorva Garg, Adv.

IA 51252&51253/2017
 In WP 494/2012 Mr. Aravind Datar, Sr. Adv.
 Mr. Amit Sharma, Adv.
 Mr. Dipesh Sinha, Adv.

IA 5/2014 in WP 833/2013	Mr. Sajan Poorayya, Sr. Adv. Ms. Priyadarshi Banerjee, Adv. Mr. Saransh Kumar, Adv. Mr. Prathibhanu S. Kharola, Adv. Mr. Saransh Jain, Adv. For E.C. Agrawala, AOR
For RBI	Mr. Jayant Bhushan, Sr. Adv. Mr. Kuldeep S. Parihar, Adv. Mr. H.S. Parihar, Adv.
State of UP	Mr. D.K. Singh, AAG Mr. Adarsh Upadhyay, Adv. Miss Komal Mundra, Adv. Mr. Saurabh Agrawal, Adv.
State of Himachal Pradesh	Mr. J.S. Attri, Sr. Adv. Mr. Varinder Kumar Sharma, Adv. Mr. Chandra Nand Jha, Adv.
NCT of Delhi	Mr. J.M. Kalia, Adv. Mr. D. S. Mahra, AOR
IA No. 31/2015	Mr. Lalit Bhasin, Adv. Ms. Nina Gupta, Adv. Mr. Mudit Sharma, Adv. Mr. K. Ramamoorthy, Sr. Adv. Mr. Dipak K. Nag, Adv. Mr. Ekansh Bansal, Adv. Mr. Parmanand Gaur, Adv. Mr. Soumitra G. Chaudhuri, Adv. Mr. Chanchal K. Ganguli, Adv. Mr. Gopal Singh, AOR Ms. Vimla Sinha, Adv. Mr. Mohit D. Ram, AOR
State of Telangana	Mr. S. Udaya Kumar Sagar, AOR Mr. Mrityunjai Singh, Adv. Mr. Guntur Prabhakar, AOR Mr. Gopal Sankaranarayanan, Adv. Mr. Zeeshan Diwan, Adv. Mr. Shrutanjaya Bhardwaj, Adv. Ms. Savita Singh, AOR Mr. Jayant Mohan, AOR

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

Mr. T. G. Narayanan Nair, AOR
Ms. Nitya Madhusoodhanan, Adv.

Mr. V. G. Pragasam, AOR
Mr. Prabhu Ramasubramanian, Adv.

Mr. Karan Bharihoke, Adv.
for Mr. Jagjit Singh Chhabra, AOR

Mr. Jatinder Kumar Bhatia, AOR
Mr. Ashutosh Kumar Sharma, Adv.
Mr. Mukesh Verma, Adv.

Mr. Abhinav Mukerji, AOR

Mr. Mishra Saurabh, AOR

Mr. Manish Vashishtha, AOR

Mr. Anil Grover, AAG
Ms. Noopur Singhal, Adv.
Mr. Piyush Hans, Adv.
Mr. Guarav Yadava, Adv.
Mr. Sanjay Kumar Visen, AOR

Mr. Shiv Mangal Sharma, AAG
Mr. Lalitendu Mohapatra, Adv.
Mr. Ankit anandraj Shah, Adv.
Mr. Puneet Parihar, Adv.
Mr. Shrey Kapoor, Adv.
Mr. Sitesh Narayan Singh, Adv.
Ms. Ruchi Kohli, AOR

Mr. S. Mukerjee, Adv.
Mr. Manoj K. Mishra, AOR
Mr. Umesh Dubey, Adv.

Ms. Aruna Mathur, Adv.
Mr. Avneesh Arputham, Adv.
Ms. Anuradha Arputham, Adv.
Mr. Amit Arora, Adv.
For M/s Arputham Aruna & Co, AOR

Mr. Jugal Kishore Gilda, AG
Mr. Aniruddha P. Mayee, AOR

Mr. Charudatta Mahindrakar, Adv.
Mr. A. Selvin Raja, Adv.
Mr. A.M. Oza, Adv.
Mr. Chirag Jain, Adv.

Mr. Garvesh Kabra, AOR

Mr. Arjun Khera, Adv.
Mr. Sahil Khanna, Adv.
Mr. Harish Pandey, AOR

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

Ms. Anitha Shenoy, AOR

Applicant-in-person, AOR

Mr. Jogy Scaria, AOR

Mr. Wills Mathews, Adv.
For Mr. Rabin Majumder, AOR

Mr. Sapam Biswajit Meitei, Adv.
Mr. Naresh Kumar Gaur, Adv.
Mr. M.N. Singh, Adv.
for Mr. Ashok Kumar Singh, Adv.

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

Mr. C.D. Singh, AAG
Ms. Shivali Chaudhary, Adv.
Ms. Sakshi Kakar, Adv.
Mr. Prateek, Adv.
Mr. Usman, Adv.

Mr. Joseph Aristotle S., Adv.
Mrs. Priya Aristotle, Adv.
Mr. Ashish Yadav, Adv.
Ms. Romsha Raj, Adv.

Mr. Tapes K. Singh, Adv.
Mr. Mohd. Waques, Adv.
Mr. Aditya Pratap Singh, Adv.

Mr. M. Shoeb Alam, Adv.
Ms. Fauzia Shakil, Adv.
Mr. Ujjwal Singh, Adv.
Mr. Mojahid Karim Khan, Adv.
Mr. Edward Belho, Adv.

Ms. Enatoli Sema, Adv.
 Mr. Amit Kr. Singh, Adv.
 Mr. K. Luikand Michael, Adv.
 Ms. Eliz Gangmei, Adv.
 Mr. Z.H. Isaac Haiding, Adv.

Mr. Gopal Singh, Adv.
 Mr. Rituraj Biswas, Adv.
 Mr. Manish Kumar, Adv.
 Mr. Pranab Prakash, Adv.
 Mr. Shivam Singh, Adv.
 Mr. Aditya Raina, Adv.
 Mr. Shreyas Jain, adv.
 Mr. Kumar Milind, Adv.
 Ms. Ambika Gautam, Adv.

Mr. Paran Bhushan, AOR

UPON hearing the counsel the Court made the following

O R D E R

Commencing his arguments at 10.30 a.m., Mr. Gopal Subramaniam, learned senior counsel representing the petitioner in Writ Petition(C) No. 37/2015 concluded at 12.20 p.m. Thereafter, Mr. Soli J. Sorabjee, learned senior counsel addressed the Court for a while. Mr. Shyam Divan, learned senior counsel representing the petitioner in Writ Petition(C) No.829/2013 made his submissions till 2:30 p.m. Then, Mr. Aravind P. Datar, learned senior counsel representing the petitioner in T.C.(C) No. 151/2013 made his submissions, which remained inconclusive.

For further hearing, list the matter again on 20.07.2017 as part-heard.

(Parveen Kumar)	(Sanjay Kumar-II)	(Indu Pokhriyal)	(Renuka Sadana)
AR-cum-PS	Court Master	Branch Officer	Asst.Registrar