

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

Writ Petition(s)(Civil) No(s). 906/2016

VIVEK NARAYAN SHARMA

Petitioner(s)

VERSUS

UNION OF INDIA

Respondent(s)

(IA No. 160335/2018 - APPLICATION FOR PERMISSION
IA No. 21081/2018 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 126600/2017 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 18498/2018 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 48022/2018 - CLARIFICATION/DIRECTION
IA No. 108796/2018 - CLARIFICATION/DIRECTION
IA No. 160336/2018 - CLARIFICATION/DIRECTION
IA No. 152009/2022 - CLARIFICATION/DIRECTION
IA No. 63192/2018 - CLARIFICATION/DIRECTION
IA No. 77366/2018 - CLARIFICATION/DIRECTION
IA No. 130107/2018 - CLARIFICATION/DIRECTION
IA No. 62968/2018 - CLARIFICATION/DIRECTION
IA No. 85343/2019 - CLARIFICATION/DIRECTION
IA No. 22096/2018 - CLARIFICATION/DIRECTION
IA No. 58168/2018 - CLARIFICATION/DIRECTION
IA No. 73111/2018 - CLARIFICATION/DIRECTION
IA No. 21692/2018 - CLARIFICATION/DIRECTION
IA No. 122729/2018 - CLARIFICATION/DIRECTION
IA No. 186703/2022 - CLARIFICATION/DIRECTION
IA No. 7/2017 - DISPENSING WITH SERVICE OF NOTICE
IA No. 64449/2018 - EX-PARTE STAY
IA No. 80338/2018 - EXEMPTION FROM FILING O.T.
IA No. 130108/2018 - EXEMPTION FROM FILING O.T.
IA No. 122731/2018 - EXEMPTION FROM FILING O.T.
IA No. 1/2016 - GRANT OF INTERIM RELIEF
IA No. 10/2017 - INTERVENTION APPLICATION
IA No. 108786/2018 - INTERVENTION APPLICATION
IA No. 9/2017 - INTERVENTION APPLICATION
IA No. 126215/2017 - INTERVENTION APPLICATION
IA No. 26770/2018 - INTERVENTION APPLICATION
IA No. 165735/2019 - INTERVENTION APPLICATION
IA No. 17358/2018 - INTERVENTION APPLICATION
IA No. 26757/2018 - INTERVENTION APPLICATION
IA No. 77365/2018 - INTERVENTION APPLICATION
IA No. 6/2016 - INTERVENTION APPLICATION
IA No. 119180/2017 - INTERVENTION APPLICATION
IA No. 11873/2018 - INTERVENTION APPLICATION
IA No. 205106/2022 - INTERVENTION APPLICATION
IA No. 129975/2017 - INTERVENTION APPLICATION
IA No. 21679/2018 - INTERVENTION APPLICATION

IA No. 50661/2018 - INTERVENTION APPLICATION
IA No. 128775/2017 - INTERVENTION/IMPLEADMENT
IA No. 65961/2018 - INTERVENTION/IMPLEADMENT
IA No. 186681/2022 - INTERVENTION/IMPLEADMENT
IA No. 21079/2018 - INTERVENTION/IMPLEADMENT
IA No. 48018/2018 - INTERVENTION/IMPLEADMENT
IA No. 126224/2017 - INTERVENTION/IMPLEADMENT
IA No. 27518/2018 - INTERVENTION/IMPLEADMENT
IA No. 64447/2018 - INTERVENTION/IMPLEADMENT
IA No. 133716/2020 - INTERVENTION/IMPLEADMENT
IA No. 18496/2018 - INTERVENTION/IMPLEADMENT
IA No. 123912/2017 - INTERVENTION/IMPLEADMENT
IA No. 130102/2018 - INTERVENTION/IMPLEADMENT
IA No. 85341/2019 - INTERVENTION/IMPLEADMENT
IA No. 77219/2017 - INTERVENTION/IMPLEADMENT
IA No. 54299/2018 - INTERVENTION/IMPLEADMENT
IA No. 73106/2018 - INTERVENTION/IMPLEADMENT
IA No. 33090/2019 - INTERVENTION/IMPLEADMENT
IA No. 66975/2018 - INTERVENTION/IMPLEADMENT
IA No. 122727/2018 - INTERVENTION/IMPLEADMENT
IA No. 2/2016 - PERMISSION TO APPEAR AND ARGUE IN PERSON
IA No. 11874/2018 - PERMISSION TO APPEAR AND ARGUE IN PERSON
IA No. 4/2016 - PERMISSION TO APPEAR AND ARGUE IN PERSON
IA No. 12/2017 - PERMISSION TO APPEAR AND ARGUE IN PERSON
IA No. 24060/2019 - RECOVERY OF THE AMOUNT
IA No. 8/2017 - STAY APPLICATION)

WITH

W.P.(C) No. 683/2020 (X)
(IA No. 160481/2022 - CLARIFICATION/DIRECTION, IA No. 62679/2020 - EXEMPTION FROM FILING AFFIDAVIT, IA No. 62678/2020 - EXEMPTION FROM FILING O.T., IA No. 113254/2020 - MODIFICATION OF COURT ORDER, IA No. 25595/2023 - PERMISSION TO FILE ADDITIONAL, DOCUMENTS/FACTS/ ANNEXURES)

W.P.(C) No. 1018/2019 (X)
(FOR STAY APPLICATION ON IA 129530/2021, IA No. 129530/2021 - STAY APPLICATION)

W.P.(C) No. 260/2017 (X)
(FOR GRANT OF INTERIM RELIEF ON IA 1/2017
FOR AMENDMENT OF THE PETITION ON IA 141671/2017
FOR CLARIFICATION/DIRECTION ON IA 138613/2018
FOR EXEMPTION FROM FILING O.T. ON IA 138618/2018
IA No. 141671/2017 - AMENDMENT OF THE PETITION
IA No. 138613/2018 - CLARIFICATION/DIRECTION
IA No. 138618/2018 - EXEMPTION FROM FILING O.T.
IA No. 1/2017 - GRANT OF INTERIM RELIEF)

T.P.(C) No. 626/2017 (XVI-A)
(FOR STAY APPLICATION ON IA 1/2017
FOR CLARIFICATION/DIRECTION ON IA 29559/2018)

**IA No. 29559/2018 - CLARIFICATION/DIRECTION
IA No. 1/2017 - STAY APPLICATION)**

**T.P.(C) No. 607/2017 (XVI-A)
(FOR STAY APPLICATION ON IA 1/2017
FOR CLARIFICATION/DIRECTION ON IA 29570/2018
IA No. 29570/2018 - CLARIFICATION/DIRECTION
IA No. 1/2017 - STAY APPLICATION)**

**T.P.(C) No. 588/2017 (XVI-A)
(FOR STAY APPLICATION ON IA 1/2017
FOR CLARIFICATION/DIRECTION ON IA 29509/2018
IA No. 29509/2018 - CLARIFICATION/DIRECTION
IA No. 1/2017 - STAY APPLICATION)**

**T.P.(C) No. 585/2017 (XVI-A)
(FOR STAY APPLICATION ON IA 1/2017
FOR CLARIFICATION/DIRECTION ON IA 29554/2018
IA No. 29554/2018 - CLARIFICATION/DIRECTION
IA No. 1/2017 - STAY APPLICATION)**

**W.P.(C) No. 40/2017 (X)
(FOR [DIRECTION] ON IA 1/2017
IA No. 1/2017 - DIRECTION)**

**W.P.(C) No. 47/2017 (X)
(FOR ON IA 1/2017)**

**W.P.(C) No. 41/2017 (X)
(FOR ON IA 1/2017)**

**W.P.(C) No. 568/2018 (X)
(FOR EXEMPTION FROM FILING O.T. ON IA 53391/2018
IA No. 53391/2018 - EXEMPTION FROM FILING O.T.)**

**T.P.(C) No. 1958-1967/2016 (XVI-A)
(FOR STAY APPLICATION ON IA 1/2016
IA No. 11/2016 - INTERVENTION APPLICATION
IA No. 1/2016 - STAY APPLICATION)**

**W.P.(C) No. 1011/2016 (X)
(FOR EXEMPTION FROM FILING O.T. ON IA 1/2016
IA No. 1/2016 - EXEMPTION FROM FILING O.T.)**

SLP(C) No. 36757/2016 (XIV)

**T.P.(C) No. 638/2017 (XVI-A)
(FOR STAY APPLICATION ON IA 1/2017
FOR CLARIFICATION/DIRECTION ON IA 29562/2018
IA No. 29562/2018 - CLARIFICATION/DIRECTION
IA No. 1/2017 - STAY APPLICATION)**

T.C.(C) No. 9/2017 (XVI-A)

**MA 1552/2018 in W.P.(C) No. 626/2017 (X)
(FOR ADMISSION and IA No.45727/2018-APPROPRIATE
ORDERS/DIRECTIONSALONGWITH THE PAPER BOOKS OF W.P.(C)NO.124/2017]
IA No. 45727/2018 - APPROPRIATE ORDERS/DIRECTIONS)**

**W.P.(C) No. 316/2018 (X)
(FOR ADMISSION)**

**W.P.(C) No. 341/2018 (X)
(FOR APPROPRIATE ORDERS/DIRECTIONS ON IA 44908/2018
IA No. 44908/2018 - APPROPRIATE ORDERS/DIRECTIONS)**

**W.P.(C) No. 908/2016 (PIL-W)
(FOR PERMISSION TO APPEAR AND ARGUE IN PERSON ON IA 1/2016
FOR ON IA 2/2016, IA No. 1/2016 - PERMISSION TO APPEAR AND ARGUE
IN PERSON)**

W.P.(C) No. 913/2016 (PIL-W) (FOR ON IA 1/2016)

**W.P.(C) No. 916/2016 (PIL-W)
(FOR STAY APPLICATION ON IA 1/2016
FOR STAY APPLICATION ON IA 2/2016
FOR ON IA 3/2016
FOR INTERVENTION APPLICATION ON IA 4/2016
FOR EARLY HEARING APPLICATION ON IA 34780/2019
IA No. 34780/2019 - EARLY HEARING APPLICATION
IA No. 4/2016 - INTERVENTION APPLICATION
IA No. 2/2016 - STAY APPLICATION
IA No. 1/2016 - STAY APPLICATION)**

W.P.(C) No. 1026/2016 (PIL-W)

**W.P.(C) No. 943/2016 (PIL-W)
(FOR PERMISSION TO APPEAR AND ARGUE IN PERSON ON IA 1/2016
FOR ON IA 2/2016
FOR [APP FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS] ON IA 3/2016**

**FOR DELETING THE NAME OF PETITIONER/RESPONDENT ON IA 20409/2021
IA No. 3/2016 - APP FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS
IA No. 20409/2021 - DELETING THE NAME OF PETITIONER/RESPONDENT
IA No. 1/2016 - PERMISSION TO APPEAR AND ARGUE IN PERSON)**

**W.P.(CrI.) No. 162/2016 (PIL-W)
(FOR PERMISSION TO APPEAR AND ARGUE IN PERSON ON IA 19338/2016
IA No. 19338/2016 - PERMISSION TO APPEAR AND ARGUE IN PERSON)**

W.P.(C) No. 951/2016 (PIL-W)

**W.P.(C) No. 929/2016 (PIL-W)
(FOR DELETING THE NAME OF PETITIONER/RESPONDENT ON IA 62137/2017**

FOR impleading party ON IA 62143/2017
FOR INTERVENTION/IMPLEADMENT ON IA 62143/2017
IA No. 62137/2017 - DELETING THE NAME OF PETITIONER/RESPONDENT
IA No. 62143/2017 - INTERVENTION/IMPLEADMENT)

W.P.(C) No. 930/2016 (PIL-W)

W.P.(C) No. 944/2016 (X)

W.P.(C) No. 971/2016 (PIL-W)
(FOR EX-PARTE STAY ON IA 1/2016
IA No. 1/2016 - EX-PARTE STAY)

T.P.(C) No. 1982-1996/2016 (XVI-A)
(FOR STAY APPLICATION ON IA 1/2016
FOR PERMISSION TO APPEAR AND ARGUE IN PERSON ON IA 16/2016
FOR PERMISSION TO APPEAR AND ARGUE IN PERSON ON IA 17/2016
IA No. 17/2016 - PERMISSION TO APPEAR AND ARGUE IN PERSON
IA No. 16/2016 - PERMISSION TO APPEAR AND ARGUE IN PERSON
IA No. 1/2016 - STAY APPLICATION)

W.P.(C) No. 952/2016 (PIL-W)
(FOR INTERVENTION APPLICATION ON IA 1/2016
IA No. 1/2016 - INTERVENTION APPLICATION)

W.P.(C) No. 953/2016 (X)

W.P.(C) No. 958/2016 (X)
(FOR EX-PARTE STAY ON IA 1/2016
IA No. 1/2016 - EX-PARTE STAY)

W.P.(C) No. 957/2016 (X)
(FOR EX-PARTE STAY ON IA 1/2016
IA No. 1/2016 - EX-PARTE STAY)

T.P.(C) No. 2018-2022/2016 (XVI-A)
(FOR EX-PARTE STAY ON IA 1/2016
IA No. 1/2016 - EX-PARTE STAY)

SLP(C) No. 35356/2016 (XIV)

W.P.(C) No. 972/2016 (PIL-W)

T.P.(C) No. 2030-2038/2016 (XVI-A)
(service is not complete
FOR STAY APPLICATION ON IA 1/2016
IA No. 1/2016 - STAY APPLICATION)

W.P.(C) No. 978/2016 (PIL-W)
(FOR STAY APPLICATION ON IA 1/2016
IA No. 1/2016 - STAY APPLICATION)

W.P.(C) No. 1025/2016 (PIL-W)

SLP(C) No. 35805/2016 (XIV)

W.P.(C) No. 997/2016 (PIL-W)
(FOR STAY APPLICATION ON IA 1/2016
FOR EXEMPTION FROM FILING O.T. ON IA 2/2016
IA No. 2/2016 - EXEMPTION FROM FILING O.T.
IA No. 1/2016 - STAY APPLICATION)

W.P.(C) No. 1008/2016 (X)

W.P.(C) No. 1010/2016 (X)

W.P.(C) No. 1009/2016 (X)

W.P.(C) No. 996/2016 (X)
(FOR STAY APPLICATION ON IA 1/2016
IA No. 1/2016 - STAY APPLICATION)

W.P.(C) No. 1006/2016 (PIL-W)
(FOR DISPENSING WITH SERVICE OF NOTICE ON IA 1/2016
IA No. 1/2016 - DISPENSING WITH SERVICE OF NOTICE)

T.P.(C) No. 47-67/2017 (XVI-A)

IA No. 1/2017 - STAY APPLICATION)

T.P.(C) No. 582/2017 (XVI-A)
(LIST BEFORE APPROPRIATE BENCH***
IA No. 29547/2018 - CLARIFICATION/DIRECTION
IA No. 1/2017 - STAY APPLICATION)

T.P.(C) No. 659/2017 (XVI-A)
(IA No. 29544/2018 - CLARIFICATION/DIRECTION
IA No. 2/2017 - EXEMPTION FROM FILING O.T.
IA No. 1/2017 - STAY APPLICATION)

W.P.(C) No. 223/2017 (X)

SLP(C) No. 14272/2017 (XV)
(FOR EXEMPTION FROM FILING O.T. ON IA 1/2017)

SLP(C) No. 14131/2017 (XV)

SLP(C) No. 14216/2017 (XV)
(FOR EXEMPTION FROM FILING O.T. ON IA 1/2017)

W.P.(C) No. 193/2018 (X)
(FOR GRANT OF INTERIM RELIEF ON IA 32889/2018
IA No. 32889/2018 - GRANT OF INTERIM RELIEF)

W.P.(C) No. 389/2018 (X)

Date : 21-03-2023 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.R. GAVAI
HON'BLE MR. JUSTICE VIKRAM NATH

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Mrs. Anil Katiyar, AOR

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Mr. Yadav Narendra Singh, AOR
(Appearance slip not given)

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Mr. Satish Singh, Adv.

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Mr. Avishkar Singhvi, Sr. Adv.
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Mr. Ankit Acharya, Adv.
Mr. Mueed Shah, Adv.

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Mr. Shaji J Kodankandath, Adv.
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Mr. Amol V Deshmukh, Adv.

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Mr. Sunil Kumar Verma, AOR

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Mr. Tanya Chowdhary, Adv.
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Mr. Santosh Mishra, AOR
Mr. Sujit Kr Singh, Adv.

Mr. Dhruv Gautam, Adv.
Ms. Manisha Ambwani, AOR

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

W.P.(C) NO.260/2017 (ITEM NO.21.3)

1. Mr. Nalin Kohli, learned counsel appearing for the petitioner, states that this case was wrongly tagged with the present group of matter, vide order dated 24.04.2017.
2. This matter is directed to be de-tagged.
3. The Registry is directed to place the matter before the appropriate Bench, after obtaining necessary orders from Hon'ble the Chief Justice of India.

T.P.(C) NOS.626, 607, 588, 585, 582 & 659 OF 2017
(ITEM NOS.21.4 TO 21.7, 21.50 & 21.51)

1. Learned counsel for the petitioners states that the petitioners did not challenge demonetization. However, the cases were wrongly tagged along with this group of matters.

2. The matters are directed to be de-tagged and placed before an appropriate Bench, after obtaining necessary orders from Hon'ble the Chief Justice of India.

W.P.(C) NO.1006/2016 (ITEM NO.21.48)
& W.P.(C) NO.40, 47 & 41 of 2017 (ITEM NOS.21.8, 21.9 & 21.10)

1. Learned counsel for the petitioners, on instructions, seeks permission to withdraw these petitions.
2. Permission is granted.
3. The writ petitions are, accordingly, disposed of as withdrawn.

W.P.(C) NO.683.2020 (ITEM NO.21.1)
M.A. NO.1552/2018 IN W.P.(C) NO.626/2017 (ITEM NO.21.17)
W.P.(C) NOS.193/2018 & 389/2018 (ITEM NOS,21.56 & 21.57)

De-tag and list before an appropriate Bench, after obtaining necessary orders from Hon'ble the Chief Justice of India.

W.P.(C) NO.958 & 957/2016 (ITEM NOS.21.34 & 21.35)

1. Learned counsel for the petitioners fairly states that in view of the judgment of the Constitution Bench passed in Writ Petition (c) No.906/2016 etc., dated 02.01.2023, reported in 2023 (1) SCALE 79, these petitions deserve to be dismissed.
2. The writ petitions are, accordingly, dismissed.
3. Pending application(s), if any, shall stand disposed of.

REST OF THE MATTERS

1. After the judgment(s) of the Constitution Bench passed in Writ Petition (c) No.906/2016 etc., dated 02.01.2023, reported in 2023 (1) SCALE 79, we do not find that it will be permissible for us to exercise our jurisdiction under Article 142 of the Constitution of India to issue directions in individual cases to the Reserve Bank of India to accept the demonetized currency and exchange it with valid currency.
2. As already observed by us, in paragraphs 256 and 257 of the

judgment above mentioned, though the petitioners/applicants may have a genuine grievance, in view of the upholding of the enactment, no relief can be granted by this Court.

3. However, if the petitioner(s)/applicant(s) so desire, they would be at liberty to make a representation to the Union of India to consider their individual grievances.

4. If such representations are made, the same would be considered and decided, in accordance with law, taking into consideration the individual grievances. The same shall be done within a period of twelve weeks from the date on which the representations are made.

5. We, however, clarify that in the event, if any of the persons are aggrieved by the orders passed by the Union of India in their individual cases, they would always be at liberty to raise their respective challenges before the jurisdictional High Court.

6. These special leave petitions, transfer petitions and writ petitions are, accordingly, disposed of.

7. Pending application(s), including applications for impleadment/intervention are disposed of.

(NARENDRA PRASAD)
ASTT. REGISTRAR-cum-PS

(ANJU KAPOOR)
COURT MASTER (NSH)