

ITEM NO.8

COURT NO.4

SECTION II-B

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

Petition(s) for Special Leave to Appeal (CrI.) No(s). 1836/2018

(Arising out of impugned final judgment and order dated 08-01-2018 in SCRLA No. 8885/2017 passed by the High Court Of Gujarat At Ahmedabad)

ROHINI SINGH & ORS.

Petitioner(s)

VERSUS

THE STATE OF GUJARAT & ORS.

Respondent(s)

(IA No. 28981/2018 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT) (IA No. 28982/2018 - EXEMPTION FROM FILING O.T.)

WITH

SLP(CrI) No. 1858/2018 (II-B)

SLP(C) No. 9619/2018 (III)

(IA No. 53712/2018 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 27-08-2019 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE ARUN MISHRA
HON'BLE MR. JUSTICE M.R. SHAH
HON'BLE MR. JUSTICE B.R. GAVAI

For Petitioner(s) Mr. Kapil Sibal, Sr. Adv.
Ms. Nitya Ramakrishnan, Adv.
Mr. Shadan Farasat, AOR
Mr. Nizam Pasha, Adv.
Mr. Archit Krishna, Adv.
Ms. Sneha Singh, Adv.
Ms. Shruti Narayan, Adv.

Mr. Kabir Dixit, AOR

For Respondent(s) Mr. N. K. Kaul, Sr. Adv.
Mr. S. V. Raju, Sr. Adv.
Ms. Aishwarya Bhati, Sr. Adv.
Mr. Rajat Nair, AOR
Mr. Deepak Joshi, Adv.
Mr. Sanyat Lodha, Adv.
Mr. Rajeev Ranjan, Adv.
Ms. Chaitrangda Rastravara, Adv.

Mr. Aniruddha P. Mayee, Adv.
Ms. Deepanwita Priyanka, Adv.

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

On instructions, Mr. Kapil Sibal, learned senior counsel appearing for the petitioners, submits that he wants to withdraw these Special Leave Petitions unconditionally. Mr. N. K. Kaul, learned senior counsel appearing for the respondent(s), has submitted that no permission should be granted to re-agitate the matter/to file review.

Mr. Kapil Sibal very frankly submits that they are not going to re-agitate the matter or to file review. The Special Leave Petitions are, accordingly, dismissed as withdrawn. All the permissible defences are open to be argued before the trial court in accordance with law.

Though we have permitted the withdrawal of the case, however, before parting with the case, we observe that the way in which the short notice of 10 to 15 hours is being given and then a person is required to answer questionnaire, failing which defamatory material would be made public, legality of such action has to be considered by this Court on appropriate occasion, prima facie this kind of threatening should not be given for making disclosure to public on a short notice. The question has to be decided in appropriate proceedings. As we have permitted withdrawal, we desist to decide legality of such an action and its consequences.

The observations will not affect the outcome of the case on merits. Mr. N.K. Kaul expressed the apprehension that the forum of review may be misused. We observe that no review to be made. Let the cases be concluded as expeditiously as possible.

(JAYANT KUMAR ARORA)
COURT MASTER

(JAGDISH CHANDER)
BRANCH OFFICER