

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGSWRIT PETITION(S)(CIVIL) NO(S). 687/2021

AMAR VIVEK AGGARWAL & ORS.

Petitioner(s)

VERSUS

HIGH COURT OF PUNJAB AND HARYANA & ORS.

Respondent(s)

(IA NO.72029/2021 - EX-PARTE STAY, IA NO.74976/2021 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, IA NO.160561/2021 - INTERVENTION APPLICATION, IA NO.34078/2022 - INTERVENTION APPLICATION, IA NO.49500/2023 - INTERVENTION APPLICATION AND IA NO.49502/2023 - APPROPRIATE ORDERS/DIRECTIONS)

WITH

SLP(C) No. 754-755/2020 (XVI)

(IA NO.74621/2021 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, IIA NO.140828/2022 - APPLICATION FOR PERMISSION AND IIA NO.157620/2023 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

MA 1502/2020 in W.P.(C) No. 454/2015 (PIL-W)

(IA NO.95642/2020 - INTERVENTION/IMPLEADMENT, IA NO.95821/2020 - PERMISSION TO APPEAR AND ARGUE IN PERSON, IA NO.102359/2020 - APPROPRIATE ORDERS/DIRECTIONS, IA NO.45959/2022 - APPEAL AGAINST REGISTRARS ORDER XV RULE 5, IA NO.72730/2022 - INTERVENTION APPLICATION AND IA NO.55879/2023 - INTERVENTION APPLICATION)

W.P.(C) No. 1077/2021 (X)

(IA No. 123819/2021 - EX-PARTE AD-INTERIM RELIEF)

W.P.(C) No. 189/2022 (X)

(IA NO.39576/2022 - EX-PARTE STAY, IA NO.39579/2022 - EXEMPTION FROM FILING O.T. AND IA NO.16812/2025 - APPLICATION FOR PERMISSION)

MA 9/2023 (PIL-W)

(IA No. 57115/2022 - APPEAL UNDER ORDER V RULE 3 OF SCR 2013)

W.P.(C) No. 324/2022 (X)

(List this WC-324/2022 before the Hon'ble Court after pronouncing the Judgment in connected matters, in view of this Hon'ble Court's Order dated 16.03.2023)

(IA No. 67238/2022 - EX-PARTE STAY)

W.P.(C) No. 639/2022 (X)

(IA No. 114704/2022 - EX-PARTE STAY)

W.P.(C) No. 715/2022 (X)
(IA NO.125250/2022 - CLARIFICATION/DIRECTION, IA NO.125251/2022 - EXEMPTION FROM FILING O.T., IA NO.266172/2024 - APPROPRIATE ORDERS/DIRECTIONS, IA NO.296729/2024 - ADDITION / DELETION / MODIFICATION PARTIES AND IA NO.16830/2025 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

MA 143/2023 in W.P.(C) No. 454/2015 (PIL-W)
(IA No. 21625/2023 - APPROPRIATE ORDERS/DIRECTIONS)

MA 262/2023 in W.P.(C) No. 454/2015 (PIL-W)
(IA No. 36111/2023 - MODIFICATION)

MA 263/2023 in W.P.(C) No. 454/2015 (PIL-W)
(IA No. 38719/2023 - APPLICATION FOR PERMISSION AND IA No.38720/2023 - CLARIFICATION/DIRECTION)

MA 1738/2023 in W.P.(C) No. 454/2015 (PIL-W)
(IA NO.147270/2023 - CLARIFICATION/DIRECTION, IA NO.147282/2023 - APPLICATION FOR PERMISSION, IA NO.147284/2023 - INTERVENTION/IMPLEADMENT, IA NO.158877/2023 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES AND IA NO.167297/2024 - EARLY HEARING APPLICATION)

Diary No(s). 35097/2023 (PIL-W)
(IA No. 172055/2023 - APPLICATION FOR PERMISSION)

ITEM NO.302:

Criminal Appeal No.865/2025

Date : 25-02-2025 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ABHAY S. OKA
HON'BLE MR. JUSTICE UJJAL BHUYAN
HON'BLE MR. JUSTICE S.V.N. BHATTI

Dr. S. Muralidhar, Sr. Adv. (Amicus Curiae)
Mr. Prateek Chadha, AOR

For Petitioner(s): Mr. Tushar Mehta, Solicitor General
Mr. Rajesh Ranjan, Adv.
Ms. Shraddha Deshmukh, Adv.
Mr. Kanu Agarwal, Adv.
Mr. Digvijay Dam, Adv.
Mr. Chitvan Singhal, Adv.
Mr. Raman Yadav, Adv.
Mr. Rajeshwari Shankar, Adv.
Mr. Arvind Kumar Sharma, AOR

Ms. Indira Jaising, Sr. Adv.
(Petitioner-in-Person)

Ms. Nina Nariman, Adv.
Mr. Malak Manish Bhatt, AOR
Ms. Geetika Kapur, Adv.
Ms. Ensha Chhabra, Adv.
Ms. Samridhi, Adv.
Ms. Saumya Raj, Adv.

Mr. Jaideep Gupta, Sr. Adv.
Mr. Kunal Chatterji, AOR
Ms. Maitrayee Banerjee, Adv.
Mr. Rohit Bansal, Adv.

Mr. Rajat Sehgal, AOR

Mr. Vivek Sharma, AOR

Mr. Milind Kumar, AOR

Mr. Rajiv Kataria, Adv.
For M/S. Delhi Law Chambers, AOR

Mr. Manoj Swarup, Sr. Adv.
Mr. A. P. Dhamija, Adv.
Ms. Tanya Sharma, Adv.
Ms. Bharti Tyagi, AOR

Mr. Devvrat, AOR
Ms. Harshita Sharma, Adv.
Mr. Shivam Singh, Adv.

Mr. A. Lakshminarayanan, AOR

Mr. Nachiketa Joshi, Sr. Adv.
Mr. Dipak Kumar Jena, Adv.
Mr. Hitendra Nath Rath, AOR
Ms. Laxmi, Adv.

Mr. L.N. Rao, Adv.
Mr. Aryan Rajpal, Adv.
Mr. Shivek Vyas, Adv.
Mr. Vikash Kumar Goswami, Adv.
Mr. Ashish Pandey, AOR

Mr. Jaydip Pati, AOR

For Respondent(s): Mr. Tushar Mehta, Solicitor General
Mr. Suryaprakash V Raju, A.S.G.
Mr. Mukesh Kumar Maroria, AOR
Mr. Annam Venkatesh, Adv.
Mr. Zoheb Hussain, Adv.
Mr. Vivek Gurnani, Adv.
Mrs. Astha Singh, Adv.

Mr. Bhuvan Kapoor, Adv.

Ms. Indira Jaising, Sr. Adv.
(Petitioner-in-Person)

Mr. Ajit Sinha, Sr. Adv.
Mr. Ashok Mathur, AOR
Mr. Navin Soni, Adv.

Mr. S. Wasim A. Qadri, Sr. Adv.
Mr. Tamim Qadri, Adv.
Mr. Saeed Qadri, Adv.
Mr. Shraveen Kumar Verma, Adv.
Mr. Saahil Gupta, Adv.
Ms. Udit Singh, AOR

Ms. Mayuri Raghuvanshi, AOR

Mr. Avinash Sharma, AOR

Mr. Ashutosh Ghade, AOR

Mr. Prashant Singh, Adv.
Mr. Prashant Singh, AOR

Mrs. Yugandhara Pawar Jha, AOR

Mr. Tuhin, AOR

Ms. Radhika Gautam, AOR
Ms. Anjul Dwivedi, Adv.

Mr. Pai Amit, AOR
Ms. Pankhuri Bhardwaj, Adv.

Applicant-in-person, AOR

Mr. Anirudh Sangneria, AOR

Mr. Merusagar Samantaray, AOR

Mr. Anandh Kannan N., AOR

Mr. Ardhendumauli Kumar Prasad, AOR

Mr. Mukesh Kumar Maroria, AOR

Mrs. Nandini Gore, AOR

Mr. Prashant Bhushan, Adv.
Mr. Pranav Sachdeva, AOR
Mr. Jatin Bhardwaj, Adv.

Mr. Vipin Nair, AOR
Mr. Mohd Aman Alam, Adv.
Mrs. M.B. Ramya, Adv.
Mr. Aditya Narendranath, Adv.

Dr. Anindita Pujari, Sr. Adv.
Mr. Mohan V Katarki, Sr. Adv.
Mr. Paras Nath Singh, Adv.
Mr. Shaileshwar Yadav, Adv.
Mr. Rohit Kumar, AOR
Mr. Shailendra Singh, Adv.
Ms. Bhumika Chauksey, Adv.
Ms. Radhika Mahopatra, Adv.
Mr. Sandeep Goyal, Adv.
Mr. Adarsh Mishra, Adv.

Mr. Prateek K Chadha, AOR

Mr. Ahanthem Henry, Adv.
Mr. Ahanthem Rohen Singh, Adv.
Mr. Mohan Singh, Adv.
Mr. Aniket Rajput, Adv.
Ms. Khoisnam Nirmala Devi, Adv.
Mr. Kumar Mihir, AOR

Mr. Anilendra Pandey, AOR
Ms. Priya Kashyap, Adv.
Mr. Nadeem Hussain, Adv.
Mr. Rajeev Kumar Ranjan, Adv.

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

ITEM NO.301 – WRIT PETITION (CIVIL) NO.687/2021

To be heard immediately after submissions in Criminal Appeal
No.865/2025 are heard.

ITEM NO.301.1 - SLP (C) NOS. 754-755/2020

The learned counsel appearing for the petitioner seeks time to
take instructions from the petitioner. We will consider the
petition on the next date fixed.

List on 19th March, 2025 at 2:00 p.m.

ITEM NO.301.2 - MA NO.1502/2020 IN W.P.(C) NO. 454/2015

It has been pointed out that this Miscellaneous Application has been disposed of *vide* judgment in *Indira Jaising vs. Supreme Court of India through Secretary General (II)*¹. However, if the Miscellaneous Application is pending, the same shall be listed along with pending applications on 19th March, 2025 at 2:00 p.m.

To be heard along with Criminal Appeal No.865/2025.

IA No. 55879/2023 (INTERVENTION APPLICATION), IA No. 95642/2020 (INTERVENTION/IMPLEADMENT), IA No. 95821/2020 (PERMISSION TO APPEAR AND ARGUE IN PERSON) AND IA No. 102359/2020 (APPROPRIATE ORDERS/DIRECTIONS), IA No. 45959/2022 (APPEAL AGAINST REGISTRARS ORDER XV RULE 5) AND IA No.72730/2022 (INTERVENTION APPLICATION) IN MA NO.1502/2020

If these Applications are pending, the same shall be listed on 19th March, 2025 along with MA No.1502/2020.

ITEM NO.301.3 - W.P.(C) No.1077/2021

The learned counsel appearing for the petitioner states that he is pressing only prayer clauses 'c' and 'd'. Therefore, this Petition be tagged with Criminal Appeal No.865/2025.

To be listed on 19th March, 2025 at 2:00 p.m.

ITEM NO.301.4 - W.P.(C) No.189/2022

To be taken up immediately after the submissions in Criminal Appeal No.865/2025 are heard.

ITEM NO.301.5 - MA NO.9/2023

The order dated 30th March, 2022 passed by the Registrar is set aside. MA Diary No.7704/2022 arising out IA Diary No.36546/2022

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(Application for Directions) in Writ Petition (C) No.454/2015 is restored.

The restored Application shall be taken up immediately after the hearing of Criminal Appeal No.865/2025 is over.

ITEM NO.301.6 - W.P.(C) No. 324/2022

To be heard along with Writ Petition (C) No.687/2021.

ITEM NO.301.7 - W.P.(C) No. 639/2022

To be taken up immediately after submissions in Criminal Appeal No.865/2025 are completed.

ITEM NO.301.8 - W.P.(C) No. 715/2022

To be taken up immediately after submissions in Criminal Appeal No.865/2025 are over.

ITEM NO.301.9 - MA NO.143/2023 in W.P.(C) No. 454/2015

ITEM NO.301.10 - MA NO.262/2023 in W.P.(C) No. 454/2015

It has been pointed out that these Applications have been already disposed of vide judgment in *Indira Jaising vs. Supreme Court of India through Secretary General (II)*¹. However, if the Applications are pending, the same shall be listed along with pending applications on 19th March, 2025 at 2:00 p.m.

To be heard along with Criminal Appeal No.865/2025.

ITEM NO.301.11 - MA NO.263/2023 IN W.P.(C) NO. 454/2015

As the Writ Petition in which impleadment is sought is already disposed of, nothing survives in this Application and the same stands disposed of accordingly.

ITEM NO.301.12 - MA NO.1738/2023 in W.P.(C) No. 454/2015

To be heard along with Criminal Appeal No.865/2025.

To be listed on 19th March, 2025 at 2:00 p.m.

ITEM NO.301.13 - Diary No(s). 35097/2023

To be taken up immediately after submissions in Criminal Appeal No.865/2025 are over.

ITEM NO.302 - CRIMINAL APPEAL NO.865/2025

1. To be listed on 19th March, 2025 @ 2:00 p.m. along with other connected matters. We also direct that Writ Petition (C) No.454/2015 shall also be listed along with these cases.
2. Considering paragraphs 43 and 45 of the judgment dated 20th February, 2025 passed in Criminal Appeal No.865/2025², issue notice to the respondents in Writ Petition (C) No.454/2015. As far as the Supreme Court Advocates-on-Record Association is concerned, it is represented today. Therefore, notice to the Supreme Court Advocates-on-Record Association is not required to be issued. Shri Tushar Mehta, the learned Solicitor General states that he will intimate to the learned Attorney General for India as well as the Union of India so that they will be represented on the next date. Therefore, notice is not required to be issued to the learned Attorney General and the Union of India as well. As far as the rest of the respondents (except the High Courts) in Writ Petition (C) No.454/2015 are concerned, notice be issued to them through e-mail informing them that the hearing will be on 19th March, 2025.

A copy of the judgment dated 20th February, 2025 in Criminal Appeal No.865/2025² as well as this order shall be forwarded along with the notice through e-email.

3. We direct the Registrar (Judicial) of this Court to forward a copy of this order along with a copy of the judgment dated 20th February, 2025 in Criminal Appeal No.865/2025² to the Registrar Generals of all the High Courts informing them that the hearing is fixed for 19th March, 2025 in the light of paragraphs 43 and 45 of the judgment dated 20th February, 2025 and the High Courts are free to submit their responses/suggestions, if any, on or before 7th March, 2025. If any other party to Writ Petition (C) No.454/2015 wants to file a response in writing, they shall do so on or before 6th March, 2025. The soft copies of the responses filed by the High Courts and all other parties be supplied to all the learned counsel representing the parties in Criminal Appeal No.865/2025, Writ Petition (C) No.454/2015 and other connected cases by e-mail. Copies shall be also served to the petitioner appearing in person in Writ Petition (C) No.454/2015.

4. As far as the order of hearing is concerned, if the learned Attorney General appears, he will be naturally given the first chance to make submissions followed by the learned Solicitor General and other learned counsel representing the parties in Writ Petition (C) No.454/2015 as well as in Criminal Appeal No.865/2025 and other connected cases. The last submissions will be by Ms. Indira Jaising, learned senior counsel. At this stage, we may also note her contention that if the decisions in *Indira Jaising vs.*

*Supreme Court of India(I)*³ and *Indira Jaising vs. Supreme Court of India (II)*¹ are to be reconsidered, it will have to be done by a Bench of a larger strength. It will be open for her to canvas this issue when her turn comes. After submissions in Criminal Appeal No.865/2025 are over, we will consider the other petitions which are reflected in the separate order passed today.

5. The hearing will commence on 19th March, 2025 at 2:00 p.m.

6. The pleadings in the other matters except in W.P.(C) No.687/2021 can be completed in the meantime.

(ASHISH KONDLE)
ASTT. REGISTRAR-cum-PS

(AVGV RAMU)
COURT MASTER (NSH)