

ITEM NO.501

COURT NO.2

SECTION X

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

Writ Petition (Civil) No.493/2022

SUBHASH DESAI

Petitioner(s)

VERSUS

PRINCIPAL SECRETARY, GOVERNOR OF MAHARASHTRA & ORS. Respondent(s)

(With IA No.92215/2022-STAY APPLICATION and IA No.92217/2022-EXEMPTION FROM FILING O.T. and IA No.92216/2022-PERMISSION TO FILE LENGTHY LIST OF DATES, IA No.101777/2022 - APPROPRIATE ORDERS/DIRECTIONS, IA No.100297/2022 - APPROPRIATE ORDERS/DIRECTIONS, IA No.108739/2022 - EXEMPTION FROM FILING O.T., IA No.92217/2022 - EXEMPTION FROM FILING O.T., IA No. 101776/2022 - INTERVENTION/IMPLEADMENT, IA No. 92216/2022 - PERMISSION TO FILE LENGTHY LIST OF DATES and IA No.92215/2022 - STAY APPLICATION)

WITH W.P.(C) No.469/2022 (X)

(With IA No.88601/2022-STAY APPLICATION and IA No.88602/2022-EXEMPTION FROM FILING O.T. and IA No.88964/2022-APPROPRIATE ORDERS/DIRECTIONS, IA No.88964/2022 - APPROPRIATE ORDERS/DIRECTIONS, IA No.88602/2022 - EXEMPTION FROM FILING O.T., IA No.88960/2022 - INTERVENTION APPLICATION and IA No.88601/2022 - STAY APPLICATION)

W.P.(C) No.468/2022 (X)

(With IA No.88604/2022 - EXEMPTION FROM FILING O.T., IA No. 88603/2022 - STAY APPLICATION)

W.P.(C) No.479/2022 (X)

(With IA No.90188/2022 - EX-PARTE STAY and IA No.90189/2022 - EXEMPTION FROM FILING O.T.)

W.P.(C) No.470/2022 (X)

(with IA No.88697/2022 - EX-PARTE STAY)

W.P.(C) No.538/2022 (X)

(With IA No.100285/2022 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 98578/2022 - EXEMPTION FROM FILING O.T. and IA No.98577/2022 - STAY APPLICATION)

Date : 01-11-2022 These matters were called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD
HON'BLE MR. JUSTICE M.R. SHAH
HON'BLE MR. JUSTICE KRISHNA MURARI
HON'BLE MS. JUSTICE HIMA KOHLI
HON'BLE MR. JUSTICE PAMIDIGHANTAM SRI NARASIMHA

For Petitioner(s)

WPC 493/2022

Mr. Anish R. Shah, AOR

WPC 469/2022

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Ms. Malvika Trivedi, Sr. Adv.
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Mr. Utsav Trivedi, Adv.
Mr. Nihar Thackeray, Adv.
Mr. Himanshu Sachdeva, Adv.
Ms. Manini Roy, Adv.
Ms. Shivani Bhushan, Adv.
Mr. Aniket B. Pawar, Adv.
Mr. Piyush Tiwari, Adv.
Mr. Ashish Yadav, Adv.
Ms. Kanjani Sharma, Adv.
Mr. Aditya Sidhra, Adv.
Ms. Pracheta Kar, Adv.
Mr. Nadeem Afroz, Adv.

Mr. Abhinay, AOR

WPC 468/2022

Mr. Abhikalp Pratap Singh, AOR

WPC 479/2022,
WPC 470/2022 &
WPC 538/2022

Mr. Kapil Sibal, Sr. Adv.
Dr. Abhishek Manu Singhvi, Sr. Adv.
Mr. Devadatt Kamat, Sr. Adv.
Mr. Javedur Rahman, AOR
Mr. Rohit Sharma, Adv.
Mr. Amit Anand Tiwari, Adv.
Mr. Rajesh Inamdar, Adv.

Mr. Sunny Jain, Adv.
Mr. Amit Bhandari, Adv.
Mr. Nizam Pasha, Adv.
Mr. Harsh Pandey, Adv.
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For Respondent(s)

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Ms. Kajal Kumari, Adv.
Mr. Pramod Kumar Singh, Adv.
Mr. Arvind Kumar, Adv.

Mr. Kailash Prashad Pandey, AOR
Mr. Kundan Lal, Adv.
Mr. Deepankar, Adv.
Mr. Amit Kumar Chawla, Adv.

Mr. Ashok Kumar Gupta II, AOR

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Mr. Shreyas Gacche, Adv.
Mr. T.R.B. Sivakumar, AOR

Dr. Gunratan Sadavarte, Adv.
Mr. Pankaj Kumar Singh, Adv.
Mr. Pawan Kumar Shukla, Adv.
Mr. Raj Singh Rana, Adv.

Mr. Amit Sharma, Adv.
Mr. Dipesh Sinha, Adv.
Ms. Pallavi Barua, Adv.

Mr. Aaditya A. Pande, Adv.
Mr. Bharat Bagla, Adv.

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

- 1 Mr Kapil Sibal, Dr Abhishek Manu Singhvi and Mr Devadatt Kamat, senior counsel appearing on behalf of the petitioners and Mr Neeraj Kishan Kaul and Mr Maninder Singh, senior counsel appearing on behalf of the respondents have agreed to certain procedural directions which would facilitate the hearing and disposal of the proceedings.
- 2 We accordingly issue the following directions:
 - (i) The parties shall file joint compilations consisting of written submissions; precedents; and any other documentary material on which reliance will be placed at the time of hearing;
 - (ii) A common index shall be prepared in three separate volumes of the

above compilations; and

- (iii) Mr Javedur Rahman, counsel assisting Mr Kapil Sibal and Mr Chirag Shah, counsel assisting Mr Neeraj Kishan Kaul shall act as the nodal counsel to ensure that soft copies of the compilations are prepared and circulated to the Bench and to the counsel appearing on behalf of the contesting parties. The soft copies of the compilations shall also be emailed to cmvc.dyc@gmail.com.

- 3 The above exercise shall be carried out within a period of four weeks.
- 4 It has been agreed that the senior counsel appearing on behalf of the contesting parties shall meet together and formulate in brief the salient issues which will arise for consideration in the course of deciding the reference before the Constitution Bench. Soft copies shall be circulated on the above email id.
- 5 The proceedings shall be listed for directions on 29 November 2022.

(CHETAN KUMAR)
A.R. -cum-P.S.

(SAROJ KUMARI GAUR)
Assistant Registrar