

ITEM NO.29

COURT NO.3

SECTION PIL-W

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).1018/2021

MADRAS BAR ASSOCIATION

Petitioner(s)

VERSUS

UNION OF INDIA & ANR.

Respondent(s)

IA No. 51263/2023 - APPROPRIATE ORDERS/DIRECTIONS
 IA No. 135683/2021 - APPROPRIATE ORDERS/DIRECTIONS
 IA No. 22310/2023 - APPROPRIATE ORDERS/DIRECTIONS
 IA No. 4761/2022 - APPROPRIATE ORDERS/DIRECTIONS
 IA No. 177674/2022 - CLARIFICATION/DIRECTION
 IA No. 23321/2023 - CLARIFICATION/DIRECTION
 IA No. 36823/2022 - CLARIFICATION/DIRECTION
 IA No. 19936/2023 - CLARIFICATION/DIRECTION
 IA No. 68136/2022 - EXEMPTION FROM FILING AFFIDAVIT
 IA No. 42933/2022 - EXEMPTION FROM FILING AFFIDAVIT
 IA No. 116852/2023 - INTERVENTION APPLICATION
 IA No. 68770/2022 - INTERVENTION APPLICATION
 IA No. 44873/2022 - INTERVENTION APPLICATION
 IA No. 124863/2021 - INTERVENTION APPLICATION
 IA No. 203663/2022 - INTERVENTION APPLICATION
 IA No. 4754/2022 - INTERVENTION/IMPLEADMENT
 IA No. 146970/2021 - INT Sanjay ERVENTION/IMPLEADMENT
 IA No. 135688/2021 - INTERVENTION/IMPLEADMENT
 IA No. 22307/2023 - INTERVENTION/IMPLEADMENT
 IA No. 36816/2022 - INTERVENTION/IMPLEADMENT
 IA No. 177676/2022 - INTERVENTION/IMPLEADMENT
 IA No. 113945/2021 - STAY APPLICATION
 WITH
SLP(C) No. 11021-11022/2020 (XII)
W.P.(C) No. 547/2021 (PIL-W)
 FOR ADMISSION
W.P.(C) No. 626/2021 (X)
 FOR ADMISSION
 IA No. 103376/2021 - INTERVENTION/IMPLEADMENT
W.P.(C) No. 811/2021 (X)
 FOR ADMISSION
 IA No. 157260/2021 - WITHDRAWAL OF CASE / APPLICATION
W.P.(C) No. 856/2021 (PIL-W)
W.P.(C) No. 906/2021 (X)
 FOR ADMISSION and IA No.100308/2021-APPROPRIATE ORDERS/DIRECTIONS
 W.P.(C) No. 910/2021 (PIL-W)
 IA No. 100451/2021 - GRANT OF INTERIM RELIEF
MA 1676/2021 in W.P.(C) No. 995/2020 (X)
 IA No. 134577/2021 - APPLICATION FOR PERMISSION
 IA No. 134574/2021 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 155100/2021 - STAY APPLICATION
MA 1677/2021 in W.P.(C) No. 991/2020 (X)
 FOR ADMISSION
 IA No. 134632/2021 - APPLICATION FOR PERMISSION
 IA No. 134631/2021 - APPROPRIATE ORDERS/DIRECTIONS
W.P.(C) No. 1192/2021 (X)
 FOR ADMISSION
T.P.(C) No. 541/2022 (XI-A)
 FOR ADMISSION and IA No.34143/2022-EX-PARTE AD-INTERIM RELIEF
MA 948/2022 in W.P.(C) No. 502/2021 (PIL-W)
 IA No.82039/2022 ARISING OUT OF C.P. (C) 708/2021
 IA No. 82039/2022 - APPROPRIATE ORDERS/DIRECTIONS
W.P.(C) No. 900/2023 (PIL-W)
 IA No. 171499/2023 - EX-PARTE AD-INTERIM RELIEF
W.P.(C) No. 1313/2023 (PIL-W)
W.P.(C) No. 1121/2023 (X)
 [ONLY
 FOR APPROPRIATE ORDERS/DIRECTIONS ON IA 273380/2024
 IA No. 273380/2024 - APPROPRIATE ORDERS/DIRECTIONS
W.P.(C) No. 309/2024 (X)
 FOR ADMISSION and IA No.112555/2024-GRANT OF INTERIM RELIEF
 IA No. 112555/2024 - GRANT OF INTERIM RELIEF
W.P.(C) No. 353/2024 (X)
 FOR
 FOR STAY APPLICATION ON IA 127165/2024
 IA No. 127165/2024 - STAY APPLICATION

Date : 03-03-2025 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SURYA KANT
 HON'BLE MR. JUSTICE NONGMEIKAPAM KOTISWAR SINGH

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By Courts Motion

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 Ms. Richa Mishra, Adv.
 Ms. Harshita Agrawal, Adv.
 Ms. Mushkan Mangla, Adv.

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

W.P.(C)No. 811/2021

1. I.A. No. 157260/2021 in W.P. (C) No. 811/2021 has been filed by the applicant/petitioner seeking withdrawal of the Writ Petition.
2. The application is allowed and the Writ Petition is dismissed as withdrawn.

W.P.(C)No. 856/2021

1. Counsel for the petitioner submits that he has instructions to withdraw the petition.

2. The Writ Petition is, accordingly, dismissed as withdrawn.

W.P.(C)No. 1018/2021, SLP (C) Nos.11021-11022/2020, W.P.(C)No. 547/2021, W.P.(C)No. 626/2021, W.P.(C)No. 906/2021, W.P.(C)No. 910/2021, MA 1676/2021 in W.P.(C)No.995/2020, MA 1677/2021 in WP(C)No.991/2020, W.P.(C)No. 1192/2021, T.P.(C)No.541/2022, MA 948/2022 in W.P.(C)No.502/2021, W.P.(C)No. 900/2023, W.P.(C)No. 1313/2023, W.P.(C)No. 1121/2023, W.P.(C)No. 309/2024 and W.P.(C)No. 353/2024

1. The lead case, i.e., Writ Petition (C) No. 1018/2021 (Madras Bar Association vs. Union of India and Anr.) involves the constitutional validity of Sections 3(1), 3(7), 5 and 7(1) of the Tribunals Reforms Act, 2021. Pending consideration of that matter, various interim applications have been filed by, mostly the Judicial/Administrative/Technical Members of different Tribunals. Several issues pertaining to the conditions of service of these Members have been raised. We have impressed upon learned counsel for the parties as well as learned Attorney General for India to collate, in a tabulated form, all the issues which are unique to any particular Tribunal and/or common to all the Tribunals.

2. For this purpose, the Registry is directed to supply copies of all the IAs to the office of learned Attorney General for India. Such paper-books be sent well-in-advance to our residential offices also.

3. Mr. Samarvir Singh, Advocate, is hereby appointed as a Nodal Officer to coordinate between all the Senior Counsels/Counsels as well as the learned Attorney General for India for the purpose of collation and compilation of all the issues that would be required to be addressed on the next date of hearing.

4. Meanwhile, learned Attorney General for India may have instructions for continuation of the Judicial Members of the Customs, Excise and Service Tax Appellate Tribunal (CESTAT) up to the age of 62 years, who are appointed before the new Act came into force.

5. During the course of hearing, we are informed that at the time of their appointment, the statutory terms and conditions stipulated their continuation up to the age of 62 years. Let the Union of India look into this aspect of the matter and take an appropriate decision. These Members, however, shall be allowed to continue till further orders.

6. As regard to Justice D.C. Chaudhary, a Member of the Armed Forces Tribunal, who was appointed at Chandigarh, and has now been transferred to Calcutta, we are informed that his term is expiring on 11.03.2025. Learned Attorney General for India has been impressed upon to consider the desirability of transferring him to Chandigarh for the limited purpose of getting the post tenure benefits from Chandigarh. The decision that may be taken by the Government of India may be communicated to Mr. Sanjay Hegde, learned Senior Counsel.

7. List on 26.03.2025.

(SATISH KUMAR YADAV)
ADDITIONAL REGISTRAR

(PREETHI T.C.)
ASSISTANT REGISTRAR