

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

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. 23321/2023 - CLARIFICATION/DIRECTION, IA No. 36823/2022 - CLARIFICATION/DIRECTION, IA No. 19936/2023 - CLARIFICATION/DIRECTION, IA No. 177674/2022 - CLARIFICATION/DIRECTION, IA No. 68136/2022 - EXEMPTION FROM FILING AFFIDAVIT, IA No. 68770/2022 - INTERVENTION APPLICATION, IA No. 244862/2025 - INTERVENTION APPLICATION, IA No. 124863/2021 - INTERVENTION APPLICATION, IA No. 44873/2022 - INTERVENTION APPLICATION, IA No. 168141/2025 - INTERVENTION APPLICATION, IA No. 136010/2025 - INTERVENTION APPLICATION, IA No. 80055/2025 - INTERVENTION APPLICATION, IA No. 203663/2022 - INTERVENTION APPLICATION, IA No. 74138/2025 - INTERVENTION APPLICATION, IA No. 116852/2023 - INTERVENTION APPLICATION, IA No. 135688/2021 - INTERVENTION/IMPLEADMENT, IA No. 22307/2023 - INTERVENTION/IMPLEADMENT, IA No. 36816/2022 - INTERVENTION/IMPLEADMENT, IA No. 4754/2022 - INTERVENTION/IMPLEADMENT, IA No. 177676/2022 - INTERVENTION/IMPLEADMENT, IA No. 146970/2021 - INTERVENTION/IMPLEADMENT, IA No. 74140/2025 - PERMISSION TO FILE APPLICATION FOR DIRECTION, IA No. 113945/2021 - STAY APPLICATION

WITH

W.P.(C) No. 626/2021 (X)

(IA No. 103376/2021 - INTERVENTION/IMPLEADMENT)

W.P.(C) No. 662/2022

Date : 10-11-2025 These matters were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE K. VINOD CHANDRAN

For Petitioner(s) :

Mr. Arvind P Datar, Sr. Adv.

Mr. T. V. S. Raghavendra Sreyas, AOR

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Mr. Naveen Hegde, Adv.
Mr. Siddharth Vasudev, Adv.
Ms. Gayatri Gulati, Adv.
Mr. Brahma Prakash Soni, Adv.

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Mr. Arpa Chakraborty, Adv.
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Mr. Prathvi Raj Chauhan, AOR

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For Respondent(s) : Mr. Raj Bahadur Yadav, AOR

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Mr. R Venkatramani, Attorney General for India
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Ms. Ameyavikrama Thanvi, Adv.
Mr. Mukesh Kr. Singh, Adv.
Mr. Raman Yadav, Adv.

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Ms. Radhika Gautam, AOR

Mr. Gopal Sankaranarayanan, Sr. Adv.
Mr. Naman Tandon, AOR
Mr. Shourya Dasgupta, Adv.
Mr. Shubham Jaiswal, Adv.

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

IA Nos. 74138 & 74140 of 2025 in W.P.(C) No(s). 1018/2021 AND
IA NOS. 281709 & 281707 of 2025 in W.P.(C) No. 662 of 2022

1. These applications have been filed seeking a direction to the Union of India to appoint the Members of the National Green Tribunal (for short "NGT").

2. It is also the grievance of the applicant(s) that two Members of the NGT, Principal Bench, New Delhi are likely to retire on 13.11.2025 and 14.01.2026, as a result of which the Principal Bench of NGT may become non-functional.

3. Mr. R. Venkataramani, learned Attorney General for India fairly states that until the new Members are appointed and they take charge of their respective offices, the present incumbents in the NGT shall continue to discharge their duties.

4. In view of the statement made by the learned Attorney General for India, no interim orders are required.

5. The applications are, accordingly, disposed of.

IA Nos. 22310 of 2023, 51263 of 2023, 22307 of 2023, 4761 of 2022, 19936 of 2023, 4754 of 2022, 135683 of 2021, 135688 of 2021, 36823 of 2022 and 36816 of 2022 in W.P.(C) No. 1018 of 2021

1. All these applications concern the terms of appointment of the following Members to the Customs, Excise and Service

Tax Appellate Tribunal (CESTAT):

- (i) Shri P. Dinesha, Judicial Member;**
- (ii) Smt. Rachna Gupta, Judicial Member;**
- (iii) Dr. Suwendu Kumar Pati, Judicial Member; and**
- (iv) Shri Ajay Sharma, Judicial Member.**

2. Learned Attorney General for India states that since these appointments were made prior to the coming into effect of the new regime, the appointees shall be entitled to continue in service till they superannuate at the age of 62 years.

3. The statement made by the learned Attorney General for India is taken on record.

4. These applications are disposed of in terms of the said statement.

IA No. 116852 of 2023 in W.P.(C) No. 1018 of 2021

Since the lis between the appointees and the Union has already attained the finality, we are not inclined to entertain this application and the same is, accordingly, disposed of.

MA No. 948 of 2022 in W.P. (C) No. 502 of 2021, IA No. 82039 of 2022 Arising out of C.P.(C) No. 708 of 2021 in W.P.(C) No. 502 of 2021, IA Nos. 165201, 165117, 72743, 72959, 272629 and 273054 of 2025 in M.A. No. 948 of 2022 in W.P.(C) No. 502 of 2021

- 1. De-tag from this batch of matters/applications.**
- 2. List these matters/applications separately.**

W.P.(C) Nos. 1018/2021 & 626/2021

1. Heard-in-part.
2. For further arguments, list these matters tomorrow, i.e., 11.11.2025 at 03:00 p.m.

W.P.(C) No. 662/2022

1. De-tag.
2. List this matter separately.

(DEEPAK SINGH)
ASTT. REGISTRAR-cum-PS

(ANJU KAPOOR)
ASSISTANT REGISTRAR