

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 (Civil) No.302 of 2001

JAVED & ORS.

Petitioner (s)

VERSUS

STATE OF HARYANA & ORS.

Respondent (s)

(With Appln(s). for stay) (With Office Report)

W I T H

S.L.P.(C) Nos.7527-7528/2001, W.P.(C) No.269/2001,
S.L.P.(C) Nos.10551/2001, 10583/2001, 10725/2001, 11002/2001, 10729/2001,
12313-12314/2001, 10996/2001, W.P.(C) Nos.316/2001, 315/2001,
S.L.P.(C) Nos.12259/2001, 13595/2001, 13398/2001, 13430/2001,
W.P.(C) Nos.329/2001, 362/2001, 363/2001, 258/2001, SLP(C) No.14547/2001,
SLP(C) Nos.14686/2001, 10189/2001, W.P.(C) Nos.403/2001, 395/2001,
SLP(C) Nos.16477/2001, 16483/2001, 18020/2001, W.P.(C) No.420/2001,
SLP(C) Nos.17247/2001, 17497/2001, 16892/2001, 18557/2001,
18554/2001, W.P.(C) Nos.438/2001, 475/2001, 507/2001, 508/2001,
SLP(C) Nos.19211/2001, 19139/2001, 19244/2001, W.P.(C) Nos.495/01,
567/2001, 560/2001, 559/2001, 561/2001, 538/2001, 539/2001, 579/01,
SLP(C) Nos.22312/2001, 22309/2001, 22278/2001, 447/2002, 12779/01,
22574/2001, 22672/2001, W.P.(C) Nos.19/2002, 30/2002, 32/2002,
S.L.P.(C) Nos.497/2002, 13185/2001, 2188/2002, 1020/2002, 17156/01,
W.P.(C) Nos.1/2002, 49/2002, 50/2002, 79/2002, S.L.P.(C) Nos.
1768/2002, 856/2002, 1483/2002, 1820/2002, 3028/2002,
2022/2002, 2237/2002, 22524/2001, 18636/2001, 3214/2002,
4409-4411/2002, W.P.(C) Nos.94/2002, 130/2002, 93/2002, 127/2002,
144/2002, S.L.P.(C) Nos.5374/2002, 5517/2002, 6186/2002,
W.P.(C) Nos.169/2002, 168/2002, 128/2002, 177/2002, 112/2002,
71/2002, 91/2002, 178/2002, S.L.P.(C) Nos.6427/02, 5207/2002,
W.P.(C) Nos.184/2002, 183/2002, 185/2002, S.L.P.(C) Nos.6397/2002,
6466/2002, 13156/2001, 18263/2001, 6537/2002, 6769/2002,
W.P.(C) Nos.68/2002, 430/2001, 213/2002, 214/2002, 162/2002,
230/2002, 225/2002, 228/2002, S.L.P.(C) Nos.7542/2002, 7392/2002,
7223/2002, W.P.(C) Nos.254/2002, 296/2002, 280/2002, 281/2002,
305/2002, S.L.P.(C) Nos.8631/2002, 8632/2002, 9113/2002, 8963/2002,
8547/2002, 9246/2002, W.P.(C) Nos.317/2002, 309/2002, 306/2002,
C.A.Nos.3629/2002, 4053/2002, S.L.P.(C) No.10294/2002, 11755/2002,
W.P.(C) Nos.341/2002, 342/2002, 395/2002, C.A.No.4066/2002,
W.P.(C) Nos.396/2002, 406/2002, C.A.Nos.4501/2002, 4487/2002,
W.P.(C) Nos.402/2002, 336/2002, 424/2002, 355/2002, 381/2002,
380/2002, 430/2002, 431/2002, 421/2002, 404/2002, C.A.Nos.5080/02,
5081/2002, 5270/2002, W.P.(C) Nos.443/2002, 457/2002, 451/2002,
S.L.P.(C) No.11810/2001, W.P.(C) Nos.462/2002, 491/2002, 495/2002,
C.A.Nos.5902/2002, 5903/2002, 7034/2002, W.P.(C) Nos.278/2002,

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612/2002, 574/2002, 607/2002, 240/2002, 655/2002, 676/2002,
677/2002, 547/2002, 645/2002, 620/2002, 682/2002, 8/2003, 669/02,
C.A.Nos.1187-1188/2003, W.P.(C) Nos.18/2003, 28/2003, 40/2003,
C.A.No.2033/2003, W.P.(C) No.63/2003, S.L.P.(C) No.3140/2003,
W.P.(C) Nos.121/2003, 123/2003, C.A.No.2395/2003, W.P.(C) Nos.
149/2003, 193/2003, 195/2003, 204/2003, 155/2003, 161/2003, 188/03,
245/2003, 247/2003, 248/2003, 250/2003, 257/2003, 268/2003,
270/2003, 277/2003, 281/2003 & S.L.P.(C) No.10673/2003

(With prayer for interim relief and with applications for intervention, vacating stay, permission to submit additional documents, ex-parte stay, intervention/impleadment, urging addl. grounds, impleading party, directions, exemption)
(With office report)

Date : 17/07/2003 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.C. LAHOTI
HON'BLE MR. JUSTICE ASHOK BHAN
HON'BLE MR. JUSTICE ARUN KUMAR

For The Appearing Mr. S.B.Sanyal, Sr.Adv.
PartiesMr. Rishi Malhotra, Adv.
Mr. Prem Malhotra, Adv.

Mr. Altaf Hussain, Adv.
Mr. Ahil Sharma, Adv.
Mr. Anil Karnwal, Adv.
Mr. Rishi Malhotra, Adv.
Mr. Prem Malhotra, Adv.

Mr. Vishal Malik, Adv.
Mr. M.S. Dahiya, Adv.

Mr. R.P. Bhatt, Sr. Adv.
Mr. Sanjay Sarin, Adv.
Mr. Ashok Mathur, Adv.

Mr. Arun Aggarwal, Adv.

Mr. S.C. Birla, Adv.

Ms. Kusum Chaudhary, Adv.

Mr. B.R. Kapur, Adv.
Mr. Mukesh Kumar, Adv.
Mr. Sunit Kumar, Adv.
Mr. Anis Ahmed Khan, Adv.

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- 3 -

Mr. Bhava Dutt Sharma, Adv.

Mr. B.S.Chahar, Adv.
Mrs. Jyoti Chahar, Adv.
Mr. Vinay Garg, Adv.

Mr. Suresh C.Gupta, Adv.
Mr. A.Guneshwar Sharma, Adv.
Mr. Sanjay Pal, Adv.
Mr. Shashwati Sen, Adv.
Mr. Kamal Mohan Gupta, Adv.

Mrs. Rachna Joshi Issar, Adv.

Mr. Ajay Siwach, Adv.
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Mr. S.K. Sabharwal, Adv.

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Mr. Goodwill Indeevar, Adv.

Mr. Hari Shankar K., Adv.

Mr. Ranbir Singh Yadav, Adv.

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Dr. Kailash Chand, Adv.

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Mr. K.R. Nagaraja, Adv.

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Mr. R.K. Talwar, Adv.
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Mr. M.L. Bakshi, Adv.
Mr. S.S. Nehra, Adv.
Mr. R.C. Kohli, Adv.

Mr. Monohar Singh Bakshi, Adv.
Ms. Dipali Chauhan, Adv.
Mr. Debasis Misra, Adv.

Mr. Mahabir Singh, Adv.
Mr. Ajay Pal, Adv.
Mr. Rakesh Dahiya, Adv.

Mr. Irshad Ahmad, Adv.

...4/-
- 4 -

Mr. A.P. Mohanty, Adv.

Mr. Manoj Swarup, Adv.

Mr. R.D. Rathore, Adv.
Mr. K.K. Gupta, Adv.

Dr. Ramesh K. Haritash, Adv.
Ms. Alka Rai, Adv.
Mr. Jagjit Singh Chhabra, Adv.

Mr. Varinder Kr. Sharma, Adv.

Mr. C.D. Singh, Adv.

Mr. L.K. Pandey, Adv.

Mr. Mushtaq Ahmad, Adv.

Mr. Tara Chandra Sharma, Adv.
Ms. Neelam Sharma, Adv.

Mr. Ajai Bhalla, Adv.
Ms. Abha R. Sharma, Adv.
Mrs. Sunita R. Singh, Adv.

Mr. R.C. Pandey, Adv.

Mr. S.K. Bansal, Adv.
Ms. Savitri Bansal, Adv.

Mr. Harbans Lal Bajaj, Adv.

Mrs. Lalita Kaushik, Adv. (N/P)

Mr. Jagdish Kr. Agarwal, Adv.

Dr. K.R. Punia, Adv.

Mrs. Santosh Singh, Adv.

Mrs. Vandana Singh, Adv.

Mr. Rakesh Kumar Mudgal, Adv.

Mr. J.S. Maharatta, Adv.

Mr. Rao Ranjit, Adv.

Mr. Somvir Singh Deswal, Adv.

Mr. M.P. Shorawala, Adv.

Mr. Madhukar Agarwal, Adv.

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Mr. P.K. Jain, Adv.

Ms. Sandhya Goswami, Adv.

Ms. M. Sharda, Adv.

Mr. Raj Kumar Mehta, Adv.

Mr. M.S. Dahiya, Adv.

Mr. B.S. Mor, Adv.

Mr. S.M. Hooda, Adv.

Mr. M.S. Dahiya, Adv.

Mr. Gian Singh, Adv.

Mr. R.C. Kaushik, Adv.

Mr. Naresh Kumar, Adv.

Mr. Rajiv Talwar, Adv.

Ms. Naresh Bakshi, Adv.

Mr. Pardeep Gupta, Adv.

Mr. K.K. Mohan, Adv.

Mr. Shakeel Ahmed, Adv.

Mr. Attar Singh, Adv.

Mr. Vishwajit Singh, Adv.

Ms. Praveena Gautam, Adv.

Mr. R.P. Goyal, Adv.

Mr. S.K. Sinha, Adv.

Mr. Shankar Divate, Adv.

Mr. S.C. Patel, Adv.

Mr. D. Mahesh Babu, Adv.

Mrs. Rekha Palli, Adv.

Mr. C.L. Sahu, Adv.

Dr. Surat Singh, Adv.
Mr. Ashok K. Mahajan, Adv.

Mr. Rajesh Tyagi, Adv.
Ms. Aparna Bhardwaj, Adv.
Mr. Baldev Atreya, Adv.
Mr. Praveen Jain, Adv.

Mr. P. Narasimhan, Adv.
...6/-

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Mr. Bimal Roy Jad, Adv.
Ms. Sunita Pandit, Adv.

Mr. Jaswant Rajpal, Adv.
Mr. M.M. Kashyap, Adv.

Mr. Ugra Shankar Prasad, Adv.

Mr. Rohit Minocha, Adv.

Mr. S.N. Bhat, Adv.
Mr. N.P.S. Panwar, Adv.
Mr. D.P. Chaturvedi, Adv.
Mr. Rishiraj Barooah, Adv.

Mr. J.P. Dhanda, Adv.
Ms. Rajrani Dhanda, Adv.
Ms. Geetanjali Mohan, Adv.

For State of Haryana Mr. P.P. Rao, Sr. Adv.
Mr. Vinay Kr. Garg, Adv.

Ms. Kavita Wadia, Adv. (N/P)

For UOI Mr. Soli J. Sorabjee, A.G.
Mr. Krishnan Venugopal, Adv.
Mr. Uday N. Tiwary, Adv.
Mr. Prasad Vijaya Kumar, Adv.
Mr. Balram Das, Adv.

Mr. K.G. Bhagat, Adv.
Mr. Vineet Bhagat, Adv.
Mr. Kamal Baid, Adv.
Mr. Nipun Sharma, Adv.

Mr. R.D. Upadhyay, Adv.

For St. of Rajasthan
in C.A. Nos. 1187-88/03: Mr. Manish Singhvi, Adv.
Mr. Ashok K. Mahajan, Adv.

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

Mr. S.B. Sanyal, learned senior counsel, commenced his arguments at 10.30 a.m. and concluded at 11.30 a.m. Thereafter, Mr. Altaf Hussain, learned counsel for the petitioner, made his submissions and concluded at 12.10 p.m. Then, Mr. Pannalal Syngal, learned counsel for the petitioner, addressed the Court for ten minutes. Mr. Rao Ranjit, learned counsel for the petitioner,

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thereafter argued upto 12.45 p.m. Mr.Suresh C.Gupta, learned counsel for the petitioner, made his submissions upto 2.30 p.m. Then, Mr.Soli J. Sorabjee, the learned Attorney General, made his submissions upto 3.00 p.m. Thereafter, Mr.P.P.Rao, learned senior counsel appearing for the State of Haryana, commenced his arguments and concluded at 3.30 p.m. Mr.Vinay Garg, Dr.Su rat Singh, learned counsel for the respondents, made their submissions for few minutes. Thereafter, Mrs.Rachna Joshi Issar, learned counsel for the petitioner, argued upto 4.00 p.m. Civil Appeals No.1187-1188 of 2003 are delinked
Hearing concluded in all other matters.
Judgment reserved.

(Ajay Kr. Jain)(N. Annapurna)(Radha R.Bhatia)
Court Master Court Master Court Master

LIST OF BOOKS

- 1.1978 (2) SCC, 1 at 14
- 2.1955 (1) SCR, 1045 at 1049 and 1004 at 1010 and 608 at 610
- 3.1980(4) SCC, 1 at 12
- 4.1978 (1) SCC, 248
- 5.1959 SCR 995 and 629 at 649
- 6.1982 (1) SCC 691 at 696
- 7.1964 (6) SCR 903
- 8.2001 (2) SCC 259 at 263
- 9.1981(4) SCC 335 at 368
- 10.2000 (5) SCC 182 at 191
11. 2002 (5) SCALE 512
12. 1954 SCR 1
13. Representation of the People Act
- 14.Haryana Panchayati Raj Act, 1994