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W.P.(Crl.)No. 109 OF 2003

ITEM Nos.29 to 32 and  
ITEM No.27

Court No. 1

SECTION PIL/XVIA/  
IIA/IX/X

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

Item No. 29

Writ Petition(Crl.) No. 109/2003

NATIONAL HUMAN RIGHTS COMMISSION

Petitioner (s)

VERSUS

STATE OF GUJARAT & ORS.

Respondent (s)

( With Appln(s). for intervention. and exemption from filing O.T. and  
directions and office report)

With

T.P.(Crl.) Nos.194-202/2003 & 326-329/2003

(National Human Rights Commission vs. State of Gujarat & ors.)

(with appln.(s) for stay and exemption from filing copies of FIR and  
impleading party and permission to place additional documents on record  
and impleading party and permission to place addl. Documents on record  
and permission to place addl. Documents on record and office report),

W.P(Crl.)No.D17953/2003 (for prel. hearing) (Umed Singh Gulia vs. Union of India & Anr.) (with  
office report),

SLP(Crl.)No.3770/2003 (Citizens for Justice & Peace & Ors. vs. State of Gujarat & Ors.) (with  
appln.(s) for permission to place addl. documents on record and directions and  
office report),

SLP(C) No. 7951/2002 (Viraj Tra Desai vs. State of Gujarat & Ors.) (with appln.(s) for exempti  
on from filing c/c of the impugned judgment and permission to place addl.on record),

WP(Crl.) Nos. 11-15/2003 (Aleque Padamsee & Ors. vs. Union of India & Ors.) (with appln.(s) fo  
r permission to submit additional documents and directions and office report),

WP(C) No. 310/1996 (Prakash Singh & Ors. vs. U O I & Ors.) (with office report),

SLP(Crl.) No. 4409/2003 (Yusufkhan Muradkhan Pathan vs. State of Gujarat & Ors.)  
(with appln.(s) for stay and office report) and

WP(Crl.) No. 216/2003 (Yusufkhan Muradkhan Pathan vs. State of Gujarat)  
(with office report)

and Item No. 30

Writ Petition (Crl.) No. 284/2003 (Imran Mohamad Salim Dawood vs. Union of  
India & Anr.) (with appln.(s) for exemption from filing O.T.)

and Item No. 31

SLP(Crl.) No. 5309/2003 (Citizens For Justice & Peace & Anr. vs. State of Gujarat & Ors.) (wit  
h appln.(s) for c/delay in filing SLP and exemption from filing c/c of the impugned judgment a  
nd exemption from filing O.T. and office report)

and Item No. 32

T.P.(Crl.) No. D1215/2004 (for prel. Hearing) (Citizens for Justice & Peace & Ors. vs. State of Gujarat & Ors.) (with appln.(s) for permission to file TP and ex-parte stay)

and Item No. 27

Writ Petition (Civil) No. 221/2002 (Mallika Sarabhai & ors. vs. Union of India & Ors.) (with appln.(s) for amendment of the petition and intervention and interim relief) with

WP(Crl.) No. 37-52/2002 (Devendrabhai N. Pathak & Ors. vs. State of Gujarat & Ors.) (with appln.(s) for amendment of the petition and permission to submit additional documents and exemption from filing OT and interim directions and office report)

WP(C) No. 530/2002 (Mahashweta Devi & Ors. vs. Union of India & Ors.) (with appln.(s) for directions and office report)

Date : 30/01/2004 These Petitions were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE S.B. SINHA  
HON'BLE MR. JUSTICE S.H. KAPADIA

Amicus Curiae Mr. Harish N Salve, Sr. Adv.  
Mr. Bhargava V Desai, Adv.  
Mr. Sidhhartha Choudhary, Adv.  
Ms. Aparjita Singh, Adv.  
Mr. Sanjeev Kr. Singh, Adv.  
Mr. Pradeep Kr. Malik, Adv.  
Ms. Meenakshi, Adv.  
Ms. Gayatri Goswami, Adv.

For Petitioner (s)  
in WP 109 &  
TP 194-202 & Mr. P P Rao, Sr. Adv.  
326-329/03 Mr. T R Andhyarujina, Sr. Adv.  
Mr. S. Muralidhar, Adv.  
Mr. Somiran Sharma, Adv.  
Mr. Rajat Khosla, Adv.  
Mr. Amit Sharma, Adv.

in WPD17953 In person.(NP)

in SLP 3770 Mr. Mihir Desai, Adv.  
Ms. Aparna Bhat, Adv.  
Mr. P Ramesh Kumar, Adv.  
Ms. Priya Kiran, Adv.

in SLP 7951M/s. J S Wad & Co., Advs.(NP)

in WP(Crl.) 11-15 Mr. Mihir Desai, Adv.  
Ms. Aparna Bhat, Adv.  
Mr. P Ramesh Kumar, Adv.  
Ms. Priya Kiran, Adv.

in WP 310/96 Mr. Prashant Bhushan, Adv.  
Er. Anil Kumar Mittal, Adv.

in SLP(Crl.) 4409 &Mr. Kapil Sibal, Sr. Adv. .  
WP(Crl.) 216Mr. Huzefa Ahmadi, Adv.  
Mr. Ejaz Maqbool, Adv.  
Mr. Nakul Dewan, Adv.  
Mr. Abhimeet Sinha, Adv.  
Ms. Minakshi Nag, Adv.  
Mr. Gourav Kejriwal, Adv.

in WP(Crl.) 284Ms. Indira Jaising, Sr. Adv.  
Mr. Naveen R Nath, Adv.

SLP(Crl.) 5309/03Mr. Mihir Desai, Adv.  
Ms. Aparna Bhat, Adv.  
Mr. P Ramesh Kumar, Adv.  
Ms. Priya Kiran, Adv.

TP(Crl.)D1215/04Mr. Kapil Sibal,Sr. Adv.  
Mr. Mihir Desai, Adv.  
Ms. Aparna Bhat, Adv.  
Mr. P Ramesh Kumar, Adv.  
Ms. Priya Kiran, Adv.

in WP(Crl.)221/02Ms. Indira Jaising, Sr. Adv.  
Mr. Mahesh Agarwal, Adv.  
Mr. Rishi Agarwal, Adv.  
Mr. E C Agrawala, Adv.

& WP(Crl.)37-52/02Mr. Mihir Desai, Adv.  
Ms. Aparna Bhat, Adv.  
Mr. P Ramesh Kumar, Adv.  
Ms. Priya Kiran, Adv.

WP(C) 530/02Mr. Kapil Sibal, Sr. Adv.  
Dr. Rajeev Dhavan, Sr. Adv.  
Mr. Chandra Prakash, Adv.  
Mr. Ravi Pakash, Adv.  
Mr. Lakshmi Raman Singh, Adv.

For Respondent (s)  
Union of IndiaMr. Kirit N Raval, Solicitor General  
Mr.Raju Ramachandran, ASG  
Mr. A Mariarputham, Adv.  
Mr. Prateek Jalan, Adv.  
Ms. Sushma Suri, Adv.  
Mr. Rajeev Sharma, Adv.  
Mr. Amit Mahajan, Adv.

State of GujaratMr. Mukul Rohtagi, ASG  
Ms. Hemantika Wahi,Adv.  
Ms. Archana Palkar, Adv.

in TP(Crl.)194-202&  
326-329  
Mr. K T S Tulsi, Sr. Adv.  
Mr. Lalit Chauhan, Adv.  
Mr. Sumit Goel, Adv.  
Mr. P H Parekh, Adv.

Ms. Nitya Ramakrishnan, Adv.  
Ms. Anita Shenoy, Adv.  
Mr. Shiladitya, Adv

Dr. Kailash Chand, Adv.

Mr. Sushil Kumar, Sr. Adv.

Mr. Adolf Mathew, Adv.  
Mr. Vinay Arora, Adv.  
Mr. Sanjay Jain, Adv.

Mr. Vinod Gajjar, Adv.  
Mr. Nikhil Goel, Adv.  
Dr. K C Gupta, Adv.  
Mr. S N Bhat, Adv.  
Mr. Rashmikumar Nanilal Vithlani, Adv.

R.Nos.2-22 in Mr. K T S Tulasi, Sr. Adv.  
SLP 3770Mr. Lalit Chauhan, Adv.  
Mr. Sameer Parekh, Adv.  
for M/s. P H Parekh & Co., Adv.

in WP(Crl.)11-15Mr. Ravindra K Adsure, Adv.  
Mr. V N Raghupathy, Adv.

in WP 310  
Mr. P Parmeswaran, Adv.

State of Assam Ms. Asha G Nair, Adv.  
Mr. Niraj Kumar, Adv.  
for Corporate Law Group, Adv.

State of Andhra Pradesh Mr. T V Ratnam, Adv.  
Mr. K Subba Rao, Adv.  
Ms. OSG Prasuna, Adv.

State of Goa Ms. A Subhashini, Adv.

State of Haryana Mr. Sanjay Singh, Adv.  
Mr. Neeraj Kumar Jain, Adv.  
Ms. Kavita Wadia, Adv.

State of H.P. Mr. J S Attri, Adv.

State of J & K Mr. Altaf H Nayak, Adv. Genl.  
Mr. Anis Suhrawardy, Adv.

State of Karnataka Mr. Sanjay R Hegde, Adv.

State of Manipur Mr. KH Nobin Singh, Adv.  
Mr. M Gireesh Kumar, Adv.

State of Meghalaya Mr. Ranjan Mukherjee, Adv.

State of Maharashtra Mr. Mukesh K Giri, Adv.

State of M.P. Mr. Sakesh Singh, Adv.  
Mr. Satish K Agnihotri, Adv.

State of Nagaland Mr. U Hazarika, Adv.  
Ms. Madhvi Sharma, Adv.  
Ms. Sumita Hazarika, Adv.

State of Orissa Mr. Jana Kalyan Das, Adv.

State of Punjab Mr. Sarup Singh, Sr. Adv. Genl.  
Mr. R S Suri, Adv.

State of Rajasthan Ms. Sandhya Goswami, Adv.

State of Sikkim Mr. A Mariarputham, Adv.  
Ms. Aruna Mathur, Adv.  
For M/s. Arputham, Aruna & Co., Adv.

State of TN Mr. Subramonium Prasad, Adv.

Mr. H K Puri, Adv.  
Mr. Ujjwal Banerjee, Adv.  
Mr. S K Puri, Adv.  
Mr. Shiv Gupta, Adv.

Mr. K R Nagaraja, Adv.

Mr. Sandeep Narain, Adv.  
Mr. Shri Narain, Adv.  
Ms. Anjali Jha, Adv.  
for S Narain & Co., Advs.  
(in IA 3/99)

Mr. S Ravindra Bhat, Adv.

Ms. Revathy Raghavan, Adv.

in SLP(Crl.) 4409&  
WP(Crl.) 216 Mr. K K Sud, ASG  
Ms. Hemantika Wahni, Adv.  
(for State of Gujarat)

in WP(Crl.) 284/03  
Mr. A D N Rao, Adv.

in SLP(Crl.) 5309/03  
Dr. Kailash Chand, Adv.

in WP 221/02  
Mr P H Parekh, Adv.

Ms. Neeru Vaid, Adv.

Mr. C D Singh, Adv.  
Mr. Vijay Pratap Singh, Adv.

Mr. Rajan Narain, Adv.

Mr. Nikhil Goel, Adv.  
Ms. Sheela Goel, Adv.

Mr. Salman Khurshid, Sr. Adv.  
Mr. Imtiaz Ahmed, Adv.  
Ms. Nagma Imtiaz, Adv.  
Mr. V N Raghupathy, Adv.

Dr. Nafis A Siddiqui, Adv.

in WP 530/02 Mr. R Venkataramani, Sr. Adv.  
Mr. Nikhil Nayyar, Adv.

For Petitioner (s)  
in intervention/  
impleadment petns  
in WP 109. Mr. C D Singh, Adv.  
Mr. Vijay Pratap Singh, Adv.

Dr. Nafis A Siddiqui, Adv.

Mr. Salman Khurshid, Sr. Adv.  
Mr. Imtiaz Ahmed, Adv.  
Ms. Nagma Imtiaz, Adv.

Mr. V N Raghupathy, Adv.

in TP 194-202

& 326-329Mr. Mihir Desai, Adv.

Ms. Aparna Bhat, Adv.

Mr. P Ramesh Kumar, Adv.

Ms. Priya Kiran, Adv.

UPON hearing counsel the Court made the following

O R D E R

Mr. Mukul Rohtagi, learned Additional Solcitor General appearing for the State of Gujarat states that the State would be filing an appeal before this Court against the acquittal in Best Bakery Case within two weeks.

The learned Amicus Curiae prays for and is allowed time till 4th February, 2004 to furnish the particulars of desired information to the learned Additional Solicitor General appearing for the State of Gujarat who shall file State's response thereto within three weeks thereafter. List all these matters on 27th February, 2004 except TP(Crl.) No. D1215/2004 which shall be listed on 16th February, 2004. Liberty is granted to file additional documents in TP(Crl.) No. D1215/2004.

In the meantime, the learned Amicus Curiae may look into WP(Crl.) No. 284/2003 and the State of Gujarat may file its response in this matter.

(D.P. WALIA)

COURT MASTER

(JANKI BHATIA)

COURT MASTER