

SECTION PIL (WRIT)

MATTER FOR : 16.09.2020
COURT NO. : 02
ITEM NO. : 15

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

WRIT PETITION (CIVIL) NO. 699 OF 2016

(Under Article 32 of the Constitution of India)

WITH

INTERLOCUTORY APPLICATION NOS. 54552, 54637 & 136819/2017

(Applications for Directions)

AND

INTERLOCUTORY APPLICATION NOS. 57812, 58124/2017 & 127023/2018

(Applications for Impleadment)

AND

INTERLOCUTORY APPLICATION NO. 81286 & 127368/2018

(Applications for Intervention)

AND

INTERLOCUTORY APPLICATION NO. 81287/2018

(Application for Clarification of Court's Order dated 14.12.2017)

AND

INTERLOCUTORY APPLICATION NOS. 130542 & 130543/2018

(Applications for Stay & exemption from filing Official Translation)

AND

INTERLOCUTORY APPLICATION NOS. 107427 & 107431/2018

(Application for directions and exemption from filing Official Translation)

AND

INTERLOCUTORY APPLICATION NO. 146933/2018

(Application for exemption from filing Official Translation)

AND

INTERLOCUTORY APPLICATION NOS. 2083 & 2085/2019

(Applications for intervention and permission to appear & argue in person
filed by Mr. S. N. Shukla, Advocate)

AND

INTERLOCUTORY APPLICATION NOS. 73459 & 72938/2019

(Applications for directions & permission to file additional document filed by Mr.
Himanshu Sharma, Advocate)

AND

INTERLOCUTORY APPLICATION NO. 98425/2019

(Application for permission to file additional documents filed by Mr. Shiv Ram
Sharma, Advocate)

AND

INTERLOCUTORY APPLICATION NO. 103522/2019

(Application for exemption from filing Official Translation filed by Ms. Swarupama
Chaturvedi, Advocate)

AND

INTERLOCUTORY APPLICATION NO. 2027 & 2029/2020

(Application for Intervention & Clarification filed by Mr. Rohit Kumar Singh,
Advocate)

AND

INTERLOCUTORY APPLICATION NO. 39027/2020

(Application for directions filed by Mr. Ashwani Kumar Dubey, Advocate)

Ashwini Kumar Upadhyay

... Petitioner

Versus

Union of India & Anr.

... Respondents

REVISED OFFICE REPORT

The Writ Petition alongwith applications above-mentioned was lastly listed before the Hon'ble Court on 10.09.2020 with office report dated 09.09.2020, when the Court was, *inter-alia*, pleased to pass the following order:-

“XXXX – XXXX – XXXX – XXXX
XXXX – XXXX – XXXX – XXXX

8. Lastly, the learned amicus curiae submitted that it appears that complete information regarding pending cases against legislators (sitting or former) relating to special legislations such as the Prevention of Corruption Act, 1988, the Prevention of Money Laundering Act, 2002, Excise Act, 1944, Customs Act, 1962, Central Goods and Service Tax Act, 2017 and Companies Act, 2013 have not been placed on record.

9. Taking into consideration the relief sought, the pleadings and the orders passed by this Court in this matter, it is clear that all the criminal cases even under special legislations, where MPs/MLAs (sitting or former) are involved are the subject matter of the present proceedings. Even though we have granted time to all the High Courts to furnish the requisite information, only the High Courts of Karnataka, Madhya Pradesh, Tamil Nadu, Delhi, Jharkhand and Guwahati have done so. The remaining High Courts have not yet furnished the requisite information regarding cases pending against legislators (sitting or former) under the above-mentioned special legislations, in compliance of our earlier orders.

10. In view of the above, we grant two days' time to all the remaining High Courts to provide the requisite details of the pending cases and their stages, in the format already approved vide order dated 05.03.2020, to the learned amicus curiae by way of e-mail to enable him to make submissions in the matter on the next date of hearing. A copy of the same be also sent to the Secretary General of this Court.

11. Let the matter be listed on Wednesday, the 16th September, 2020.”

Pursuant to aforementioned order, it is submitted that following **High Courts have given/submitted Report** in the matter above-mentioned:

SI. No.	High Court	Vide Letter/ E-mail dated
1.	High Court of Tripura	11.09.2020
2.	High Court of Chhattisgarh	11.09.2020
3.	High Court of Rajasthan	11.09.2020
4.	High Court of Kerala	11.09.2020 & 16.09.2020
5.	High Court of Calcutta	12.09.2020
6.	High Court of Manipur	12.09.2020
7.	High Court of Odisha	12.09.2020
8.	High Court of Telangana in two volumes (Volume – I & Volume - II)	13.09.2020
9.	High Court of Punjab & Haryana	13.09.2020
10.	High Court of Sikkim	15.09.2020
11	High Court of Andhra Pradesh	16.09.2020

All the above-mentioned Reports are being circulated in a separate volume for the kind perusal of the Hon'ble Court.

It is further submitted that Mr. Vijay Hansaria, Sr. Advocate (Amicus Curiae) has on 15.09.2020 filed **Supplementary Report** in the matter above-mentioned and the same is being circulated in a separate volume for the kind perusal of the Hon'ble Court.

It is lastly submitted that no other document in the Writ Petition, above mentioned has been filed, so far.

The Writ Petition alongwith Interlocutory Applications above-mentioned is listed before the Hon'ble Court with this Revised Office Report for Orders.

Dated this the 16th day of September, 2020.

sd/-
Assistant Registrar