

ITEM NO.101

COURT NO.2

SECTION III-A

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

Civil Appeal No(s). 9886/2016

STATE OF UP . & ORS.

Appellant(s)

VERSUS

Z.U. ANSARI

Respondent(s)

([TO GO BEFORE THREE HON'BLE JUDGES] [RETAIN ITS POSITION])

WITH

C.A. No. 7311/2019 (IV-C)

I.A. No.26801/2018- EXEMPTION FROM FILING O.T.

IA No. 46010/2021 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 46011/2021 - EXEMPTION FROM FILING O.T.

I.A. No. 32801/2023-EXEMPTION FROM FILING O.T.)

Date : 15-02-2023 This appeal was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
HON'BLE MR. JUSTICE MANOJ MISRA
HON'BLE MR. JUSTICE ARAVIND KUMAR

For Appellant(s) Mr. Anshuman Shrivastava, Adv.
Mr. Abhishek Sharma, Adv.
Mr. Aniket Singh, Adv.
Mr. Abhishek Vikas, AOR

Mr. B. Krishna Prasad, AOR

Mrs. Garima Prasad, Sr. Adv./ AAG
Mr. Tanmaya Agarwal, AOR
Mr. Wrick Chatterjee, Adv.
Mrs. Aditi Agarwal, Adv.

For Respondent(s) Mr. Neeraj Kumar Jain, Sr. Adv.
Mr. Sanjay Singh, Adv.
Mr. Sidharth Jain, Adv.
Mr. Aniket Jain, Adv.
Mr. Rajeev Singh, AOR

Mr. Saurabh Mishra, AAG
Mr. Mrinal Gopal Elker, AOR
Mr. Rajan Chourasia, Adv.

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

Applications seeking exemption from filing O.T. are allowed.

On the preliminary submission of learned counsel for parties it appears that the representation of Union of India is necessary in view of the contours of Article 309 of the Constitution of India being examined.

Mr. Tushar Mehta, learned Solicitor General has been appointed as the amicus curiae vide an order dated 21.8.2019. However, he is not represented today and earlier also deferment took place on that account on 06.9.2022 and 09.2.2023. It would thus be appropriate to implead the Union of India as the party respondent.

Issue notice to the Union of India returnable on 15th March, 2023 when the matter shall be listed for directions in the miscellaneous matters.

(RASHMI DHYANI PANT)
COURT MASTER

(POONAM VAID)
COURT MASTER