

ITEM NO.8 Court 1 (Video Conferencing) SECTION X

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

Writ Petition(s)(Civil) No(s). 643/2015

ALL INDIA JUDGES ASSOCIATION

Petitioner(s)

VERSUS

UNION OF INDIA . & ORS.

Respondent(s)

(SHRI P.S. NARASIMHA, SENIOR ADVOCATE AND SHRI K. PARAMESHWAR, ADVOCATE AS AMICUS CURIAE

(IA No. 70316/2020 - APPLICATION FOR PERMISSION IA No. 96520/2020 - APPLICATION FOR PERMISSION IA No. 68479/2020 - APPLICATION FOR PERMISSION IA No. 100172/2020 - CLARIFICATION/DIRECTION IA No. 68481/2020 - CLARIFICATION/DIRECTION IA No. 88733/2020 - CLARIFICATION/DIRECTION IA No. 70323/2020 - CLARIFICATION/DIRECTION IA No. 50728/2020 - EXEMPTION FROM FILING AFFIDAVIT IA No. 84452/2020 - EXEMPTION FROM FILING AFFIDAVIT IA No. 50727/2020 - EXTENSION OF TIME IA No. 125439/2018 - INTERVENTION APPLICATION IA No. 100166/2020 - INTERVENTION APPLICATION IA No. 68480/2020 - INTERVENTION APPLICATION IA No. 87335/2020 - INTERVENTION APPLICATION IA No. 70318/2020 - INTERVENTION APPLICATION IA No. 165066/2019 - INTERVENTION/IMPLEADMENT IA No. 18284/2020 - INTERVENTION/IMPLEADMENT IA No. 169826/2019 - INTERVENTION/IMPLEADMENT IA No. 1/2015 - PERMISSION TO FILE SYNOPSIS AND LIST OF DATES)

Date : 04-11-2020 These matters were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE A.S. BOPANNA
HON'BLE MR. JUSTICE V. RAMASUBRAMANIAN

Mr. P.S. Narasimha, Sr. Adv. (AC)
Mr. K. Parameshwar, Adv. (AC)
Mr. M.V. Mukunda, Adv.
Mr. Kanti, Adv.

For Petitioner(s) Shri Gourab Banerji, Sr. Adv.
Mr. Vyom Raghuvanshi, Adv.
Ms. Mayuri Raghuvanshi, AOR
Mr. Subhro Prokas Mukherjee, Adv.

For Respondent(s) Mr. K.M. Natraj, ASG
Ms. V. Mohna, Sr. Adv.
Ms. Rashmi Malhotra, Adv.
Mr. D.L. Chidanand, Adv.
Mr. Mohd. Akhil, Adv.

Mr. K.M.Nataraj, LD ASG
Mr. SWA Qadri , Adv.
Ms. Sunita Sharma, Adv.
Mr. R.R.Rajesh, Adv.
Mr. Mohd. Akhil, Adv.
Mr. Raj Bahadur Yadav, Adv.

Mr. K.M. Natraj,ASG
Mr. Rajan Kr. Chourasia,Adv.
Mr. Mohd. Akhil,Adv.
Mr. D.L. Chidanand,Adv.
Ms. Swarupma Chaturvedi,Adv.
Mr. Arvind Kumar Sharma,AOR

Mr. V. Giri,Sr.Adv.
Ms. Divya Sharma,Adv.
Mr. Gopal Jha, AOR

Mr. Mukesh Kumar Maroria, AOR

Ms. Preetika Dwivedi, AOR

Mr. Sudhanshu S. Choudhari, AOR

Mr. Sachin Patil,Adv.
Mr. Rahul Chitnis,Adv.
Mr. Geo Joseph,Adv.

Dr. Manish Singhvi, Senior Advocate
Mr. Sandeep Kumar Jha, AOR

Mr. Aniruddha P. Mayee, AOR

Mr. Amit Kumar,Adv.Gen.
Mr. Avijit Mani Tripathi,Adv.
Mr. Shaurya Sahay,Adv.

Mr. Jaideep Gupta,Sr.Adv.
Mr. Kunal Chatterji, AOR
Ms. Maitrayee Banerjee,Adv.
Mr. Pravar Veer Misra,Adv.

Mr. Apoorv Kurup, AOR

Ms. Madhumita Bhattacharjee AOR

Mr. Annam D. N. Rao, AOR
Mr. Annam Venkatesh,Adv.
Mr. Rahul Mishra,Adv.

Mr. P. I. Jose, AOR

Mr. Prashant Kumar Sharma, Adv.

Ms. Sneha Kalita, AOR

Dr. Rajesh Pandey, Adv.

Ms. Aswathi M.K.AOR

Mr. Naresh K. Sharma, AOR

Mr. Sanjai Kumar Pathak, AOR

Mr. N. Kumarjit Singh, AG

Mr. Pukhrambam Ramesh Kumar, Adv

Ms. Anupama Ng, Adv.

Mr. karun Sharma, Adv

Mr. Nikhil Goel, AOR

Ms. Pragati Neekhara, AOR

Mr. Anupam Raina, AOR

Mr. Krishnanand Pandeya, AOR

Mr. T. G. Narayanan Nair, AOR

Mr. A. Radhakrishnan, AOR

Mr. Arjun Garg, AOR

Mr. Sibor Sankar Mishra, AOR

Mr. Atul Nanda, Sr. Adv.

Ms. Ranjeeta Rohatgi, AOR

Ms. Samten Doma, Adv.

Mr. Ashok Mathur, AOR

Mr. Mukul Kumar, AOR

Ms. Aruna Mathur, Advocate on Record

Ms. Anuradha Arputham, Advocate

M/S. Arputham Aruna And Co, AOR

Mr. Apoorv Kurup, AOR

Mr. A.C. Boixpatro, Adv.

Ms. Nidhi Mittal, Adv.

Mr. Mukesh K. Giri, AOR

Ms. Priyanka Prakash, Adv.

Ms. Beena Praksh, Adv.

Mr. G. Prakash, AOR

Mr. Mahfooz A.Nazki, AOR
Mr. Polanki Gowtham, Adv.
Mr. Amitabh Sinha, Adv.
Mr. Shrey Sharma, Adv.

Mr. Shuvodeep Roy, AOR
Mr. Kabir Shankar Bose, Adv.
Mr. Rahul Raj Mishra, Adv.

Mr. Anil Shrivastav, Adv.

Mr. Manish Kumar, AOR
Mr. Harsh Chaudhary, Adv.

Ms. Aswathi M.k., AOR

M/S. K J John And Co, AOR

Ms. Deepanwita Priyanka, AOR

Mr. Ashok Sharma, Adv.Gen
Mr. Vikas Mahajan, AAG
Mr. Vinod Sharma, AOR
Mr. Binod Kumar Singh, Adv.
Mr. Aakash Varma, Adv.

Mr. Anando Mukherjee, AOR

Mr. V. N. Raghupathy, AOR

Mr. Purushaïnder Kaurav, Adv.Gen. (MP)
Mr. Saurabh Mishra, AAG
Mr. Sunny Choudhary, AOR
Mr. Shivam, Adv.

Mr. Nishant Ramakantrao Katneshwarkar, AOR

Mr. Ranjan Mukherjee, AOR

Mr. Siddhesh Kotwal, Adv.
Ms. Arshiya Ghose, Adv.
Mr. Divyansh Tiwari, Adv.
Ms. Ana Upadhyay, Adv.
Ms. Mantika Haryani, Adv.
Ms. Astha Sharma, AOR

Mr. Balgopal, Sr. Adv.
Mr. Nitya Nambiar, Adv.
Mr. A.P. Mukund, Adv.
Mr. Ishan Sharma, Adv.

Ms. K. Enatoli Sema, AOR
Mr. Amit Kumar Singh, Adv.

Mr. Shibashish Misra, AOR

Mr. Devendra Singh, AOR

Ms. Ruchi Kohli, AOR

Mr. Raghvendra Kumar, Adv.
Mr. Anand Kumar Dubey, Adv.
Mr. Narendra Kumar, AOR

Mr. Balaji Srinivasan, AAG
Mr. M. Yogesh Kanna, AOR
Mr. Raja Rajeshwaran S., Adv.

Mr. Raghvendra Singh, Adv. Gen.
Mr. Sanjay Kumar Tyagi, AOR

Ms. Rachana Srivastava, AOR
Mr. Tanmay Agarwal, Adv.

Mr. Parijat Sinha, AOR

Mr. K.V. Jagdishvaran, Adv.
Ms. G. Indira, AOR

Mr. Chirag M. Shroff, AOR
Ms. Abhilasha Bharti, Adv.

Mrs. Anil Katiyar, AOR

Mr. V. G. Pragasam, AOR
Mr. S. Prabu Ramasubramanian, Adv.

Mr. P.H. Parekh, Sr. Adv.
Mr. Sameer Parekh, Adv.
Mr. Kshatrashal Raj, Adv.
Ms. Tanya Chaudhry, Adv.
Ms. Pratyusha Priyadarshini, Adv.
Ms. Nitika Pandey, Adv.
M/S. Parekh & Co., AOR

Mr. Uday B. Dube, AOR

Mrs. Anjani Aiyagari, AOR

Mr. Ankur Kashyap, AOR
Mr. Abhay Singh, Adv.

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

We are surprised that 18 States/UTs have not filed their responses. The said States/UTs are as follows :

(1) Kerala, (2) Andhra Pradesh, (3) Telangana, (4) Maharashtra, (5) Jharkhand, (6) Odisha, (7) West Bengal, (8) Assam, (9) Rajasthan, (10) Punjab, (11) Jammu & Kashmir, (12) Ladakh, (13) Delhi, (14) Haryana, (15) Nagaland, (16) Manipur, (17) Sikkim, and (18) Goa.

The matter is of seminal importance particularly for the subordinate judiciary in the country.

Mr. P.S. Narsimha, learned Amicus Curiae, has submitted that it would not be advisable to proceed with the matter without the responses of the States/UTs. But at the same time, the matter cannot be postponed indefinitely for want of responses from the States/UTs.

Therefore, in the interests of justice, we direct that the matter be listed after a period of six weeks from today.

The States/UTs who have not filed their responses shall file their responses within a period of five weeks from today. Should any State/UT fail to do so, the Chief Secretary/Administrator of that State/UT shall remain present in person before this Court on the next notified date.

The learned Amicus Curiae, has filed a note, seeking certain directions in the meantime. The said note is taken on record. Taking into consideration what is stated therein, we direct that

the term of the Commission shall be extended upto 31.01.2021. In the meantime, the amount meant for making payment towards remuneration to the Experts and Consultants and the honoraria payable to the members of the Commission i.e. Hon'ble Mr. Justice (Retd.) P.V. Reddy and Hon'ble Mr. Justice (Retd.) R. Basant; shall be sanctioned and released.

The term of the deputation of the Member Secretary which is due to end on 31.12.2020 shall be extended upto 31.01.2021 so that he may attend the duties of the Commission.

Ordered accordingly.

Issue notice to the learned Attorney General for India.

List the matter on 05.01.2021.

(SANJAY KUMAR-II)
Asst.Registrar-Cum-PS

(MADHU BALA)
AR-CUM-PS

(INDU KUMARI POKHRIYAL)
ASSISTANT REGISTRAR