

ITEM NO.3

COURT NO.11

SECTION III

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

MISCELLANEOUS APPLICATION Diary No(s). 22553/2023

(Arising out of impugned final judgment and order dated 12-05-2023  
in C.A. No. 2482/2014 passed by the Supreme Court Of India)

AURELIANO FERNANDES

APPLICANT(S)

VERSUS

THE STATE OF GOA & ORS.

RESPONDENT(S)

(ONLY I.A. No. 25578/2024 IN M.A. NO. 1688/2023 IS LISTED )

WITH

MA 1688/2023 in C.A. No. 2482/2014 (III)  
(IA No. 25578/2024 - APPROPRIATE ORDERS/DIRECTIONS)

Date : 09-04-2024 These matters were called on for hearing today.

CORAM :

HON'BLE MS. JUSTICE HIMA KOHLI  
HON'BLE MR. JUSTICE AHSANUDDIN AMANULLAH

For Petitioner(s) Mr. Bishwajit Bhattacharya, Sr. Adv.  
Mr. Atul Jha, Adv.  
Mr. Vinayak Sharma, Adv.  
Mr. Dharmendra Kumar Sinha, AOR

By Courts Motion, AOR

For Respondent(s) Ms. Ruchira Gupta, Adv.  
Mr. Shishir Deshpande, AOR  
Ms. Pooja Tripathi, Adv.  
Ms. Harshita Sharma, Adv.  
Mr. Amit Kumar, Adv.

Ms. Rashmi Nandakumar, AOR

Mr. V Chitambaresh, Adv.  
Mr. Shantnu Sharma, Adv.  
Mr. Annirudh Sharma Ii, Adv.  
Mr. Ishaan Sharma, Adv.  
Mr. S K Singhania, Adv.  
Mr. B K Satija, Adv.  
Mr. Kanu Agarwal, Adv.

Mr. Tadimalla Bhaskar Gowtham, Adv.  
Mr. Krishna Kant Dubey, Adv.  
Mr. Mrinal Elkar Mazumdar, Adv.  
Mr. Mukesh Kumar Verma, Adv.  
Mr. Rajesh Singh Chauhan, Adv.  
Mr. Piyush Beriwal, Adv.  
Mr. Mukul Singh, Adv.  
Mr. Mukesh Kumar Maroria, AOR

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

**IA NO.25578/2024 IN M.A. NO.1688 OF 2023.**

1. This application has been moved by the applicant praying *inter alia* for quashing the order dated 08<sup>th</sup> December, 2023 passed by the respondents pursuant to conclusion of the domestic enquiry by the respondents in terms of the judgment dated 12<sup>th</sup> May, 2023, passed by this Court in Civil Appeal No.2482 of 2014.
2. We are not inclined to entertain the application. If aggrieved by the order dated 08<sup>th</sup> December, 2023, it is for the applicant to seek appropriate legal recourse.
3. At this stage, Mr. Bishwajit Bhattacharya, learned Senior counsel appearing for the applicant seeks leave to withdraw the present application while reserving the right of the applicant to seek appropriate legal recourse against the order dated 08<sup>th</sup> December, 2023.
4. Leave as prayed for, is granted.
5. The application is disposed of as not pressed.

**M.A. DIARY NO.22553/2023 AND MA NO.1688/2023**

1. Despite specific directions issued by this Court in para 77 of the

judgment dated 12<sup>th</sup> May, 2023, passed in Civil Appeal No.2482 of 2014, affidavits are still awaited from the Union of India, most of the State Governments/Union Territories as also from the other agencies. We may note that it is now almost a year since the said directions were issued by this Court for strict compliances.

2. Having regard to the import of this matter, it is deemed appropriate to appoint Ms. Padma Priya, learned counsel as *Amicus Curiae* to assist the Court.

3. The Registry shall communicate this order to the learned *Amicus Curiae* and furnish all the affidavits filed so far by the State Governments/Union Territories and Union of India along with a copy of the judgment dated 12<sup>th</sup> May, 2023 passed by this Court in Civil Appeal No.2482 of 2014 to enable her to collate the affidavits, file a status report and assist the Court on the next date of hearing.

4. In the meantime, directions are issued to the Chief Secretaries of all the State Governments/Union Territories and the Secretaries of the concerned ministries of the Union of India who have not filed any affidavit so far, to complete the exercise as directed by this Court and file appropriate affidavits within four weeks.

5. List on 09<sup>th</sup> July, 2024, at the top of the Board.

**(Geeta Ahuja)**  
**Assistant Registrar-cum-PS**

**(Nand Kishor)**  
**Court Master (NSH)**