

ITEM NO.1501
(FOR JUDGMENT)

COURT NO.7

SECTION PIL-W

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

Writ Petition (Civil) No.14/2024

DR. JAYA THAKUR & ORS.

Petitioners

VERSUS

UNION OF INDIA & ANR.

Respondents

[HEARD BY:HON'BLE MR. JUSTICE DIPANKAR DATTA AND HON'BLE MR.
JUSTICE SATISH CHANDRA SHARMA]

I.A. No.44406/2025-EXEMPTION FROM FILING AFFIDAVIT

I.A. No.44405/2025-INTERVENTION APPLICATION

I.A. No.146198/2026-INTERVENTION APPLICATION

I.A. No.289861/2024-STAY APPLICATION

WITH

W.P.(C) No.13/2024 (PIL-W)

W.P.(C) No.11/2024 (PIL-W)

I.A. No.3964/2024-PERMISSION TO APPEAR AND ARGUE IN PERSON

W.P.(C) No.87/2024 (PIL-W)

I.A. No.38815/2025-INTERVENTION APPLICATION

I.A. No.297176/2024-INTERVENTION/IMPLEADMENT

I.A. No.38816/2025-PERMISSION TO APPEAR AND ARGUE IN PERSON

W.P.(C) No.191/2024 (PIL-W)

W.P.(C) No.272/2024 (PIL-W)

I.A. No.111730/2025-AMENDMENT OF APPEAL/PETITION/I.A.

I.A. No.64488/2025-AMENDMENT OF APPEAL/PETITION/I.A.

I.A. No.187263/2024-CLARIFICATION/DIRECTION

I.A. No.167551/2025-FORMAL DISPOSAL

I.A. No.101639/2024-PERMISSION TO APPEAR AND ARGUE IN PERSON

I.A. No.138504/2024-PERMISSION TO PLACE ADDITIONAL FACTS AND
GROUNDS

I.A. No.138503/2024-SUMMONING ORIGINAL RECORD

Signature Not Verified
Date: 2026-09-24
16:31:34
Reason: [Signature]
Date : 23-09-2026 These petitions were called on for pronouncement
of judgment today.

For Petitioner(s) :Mr. Prashant Bhushan, AOR
Ms. Alice Raj, Adv.
Mr. Rahul Gupta, Adv.
Ms. Neha Rathi, Adv.
Ms. Suroor Mander, Adv.

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Mr. Gaurav Kumar, Adv.
Mr. Vishal Sinha, Adv.
Mr. Pawan Reley, AOR
Mr. Akshay Lodhi, Adv.
Mr. Naman Sherstra, Adv.
Mr. Sanjiv Mishara, Adv.
Mr. Adit Jayeshbhai Shah, Adv.
Mr. Mukesh Kumar Thalour, Adv.
Ms. Simran Singh, Adv.
Mr. Tanish Rawat, Adv.
Mr. Prakhar Agarwal, Adv.

Mr. Vijay Hansariya, Sr. Adv.
Mr. Varun Thakur, Adv.
Mr. Ramkaran, Adv.
Mrs. Shraddha Saran, Adv.
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Dr. M K Ravi, Adv.
Mr. S P Singh, Adv.
M/S. Varun Thakur & Associates, AOR

Mr. Sanjeev Malhotra, AOR

Petitioner-in-person

Mr. Sanjay Parikh, Sr. Adv.
Ms. Maulshree Pathak, AOR

For Respondent(s) :Mr. R. Venkataramani, A.G.
Mr. Tushar Mehta, S.G.
Mr. Raghvendra P. Shankar, Adv.
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Mr. Aman Mehta, Adv.
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Mr. Devansh Rai, Adv.

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Mr. Birjesh Kumar Gupta, Adv.

Mr. Dinesh Kumar Mudgal, Adv.
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Ms. Athira Nandakumar, Adv.
Mr. Aman Prasad, Adv.

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Ms. Vandana, Adv.
Mr. Devendra Kumar Gupta, Adv.
Mr. Mohd Shafat Ahamad, Adv.
Mr. Mr Arafat Ahmad, Adv.
Ms. Mumtaz Jawed Shaikh, Adv.
Ms. Sakshi Singh, Adv.
Mr. Ashish Kumar Pandey, Adv.
Mr. Manoj Pandey, Adv.

Mr. Pradeep Kr. Rai, Sr. Adv.
Ms. Modoyia Kayima, Adv.
Mr. Vinay Kumar Rai, Adv.
Mrs. Rajshree Rai, Adv.
Mr. Saif Rizvi, Adv.
Mr. Shivam Tyagi, Adv.
Mr. Paras Chauhan, Adv.
M/S. R And R Law Associates, AOR

Mr. Shadan Farasat, Sr. Adv.
Mr. Talha Abdul Rahman, AOR
Mr. Harshit Anand, Adv.
Mr. Kaustubh Chaturvedi, Adv.
Mr. Abhishek Babbar, Adv.
Mr. Sudhanshu Tewari, Adv.
Mr. Faizan Ahmed, Adv.
Ms. Vibha Swaminathan, Adv.

1. Hon'ble Mr. Justice Dipankar Datta and Hon'ble Mr. Justice Satish Chandra Sharma have expressed their differing views in two separate opinions.
2. Following such difference, by a separate order, the Bench has, *inter alia*, directed as under: -

“3.Thus, we direct that the papers be placed before the Hon'ble the Chief Justice for considering the desirability of constituting a Constitution Bench of such number of Judges to decide the question of *vires* of Section 7 and the other provisions of the Chief Election Commissioner and other Election Commissioners (Appointment, Conditions of Service and Term of Office) Act, 2023.”

(RASHMI DHYANI PANT)
ASTT. REGISTRAR-cum-PS

(SUDHIR KUMAR SHARMA)
COURT MASTER (NSH)

(One signed order along with two separate opinions are placed on the file)