

ITEM NO.56

COURT NO.4

SECTION PIL(W)

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition(s) (Criminal) No(s). 129/2016

MANOHAR LAL SHARMA, ADVOCATE

Petitioner(s)

VERSUS

UNION OF INDIA AND ORS

Respondent(s)

(with appln. (s) for directions and permission to appear and argue in person)

Date : 14/09/2016 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE DIPAK MISRA
HON'BLE MR. JUSTICE UDAY UMESH LALIT

For Petitioner(s) Petitioner-in-person

For Respondent(s)

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

Heard Mr. Manohar Lal Sharma in person.

In this petition preferred under Article 32 of the Constitution of India, the petitioner has sought many a relief. The principal prayer is that the funds sanctioned to the State of Jammu & Kashmir on various heads is in breach of constitutional provisions and, therefore, the concerned authorities are required to be booked under Section 409 of the Indian Penal Code along with Section 13(1)(d)(ii) of the Prevention of Corruption Act, 1988. It is also urged by Mr. Sharma that the respondents should be prohibited from giving any kind of funds to the State of Jammu and Kashmir.

Having heard Mr. Sharma at length, we are of the considered opinion that the grant of funds to State of Jammu and Kashmir for

the purposes of security or otherwise is within the exclusive domain of the Central Government. In a matter like this, we are of the considered opinion that a public interest litigation does not deserve to be entertained and, therefore, we are not inclined to interfere. That apart, needless to emphasise, it is not a judicially manageable proceeding and the Court should refrain from entering into the said area.

The writ petition is accordingly dismissed.

(Gulshan Kumar Arora)
Court Master

(H.S. Parasher)
Court Master