

ITEM NO.501

COURT NO.1

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)(Civil) No(s).880/2017

ASSOCIATION FOR DEMOCRATIC REFORMS & ANR.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(WITH IA No. 222810/2023 - INTERVENTION APPLICATION, IA No. 222362/2023 - INTERVENTION APPLICATION, IA No. 218612/2023 - INTERVENTION APPLICATION, IA No. 106839/2018 - INTERVENTION APPLICATION, IA No. 156371/2022 - INTERVENTION, IA No. 59321/2019 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, IA No. 40115/2019 - STAY APPLICATION)

WITH

W.P.(C) No. 59/2018 (X)

(WITH IA No. 45810/2019 - STAY APPLICATION)

W.P.(C) No. 975/2022 (PIL-W)

(WITH IA No. 174158/2022 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

W.P.(C) No. 1132/2022 (PIL-W)

(FOR ADMISSION)

Date : 02-11-2023 These petitions were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE SANJIV KHANNA
HON'BLE MR. JUSTICE B.R. GAVAI
HON'BLE MR. JUSTICE J.B. PARDIWALA
HON'BLE MR. JUSTICE MANOJ MISRA

For Petitioner(s) Mr. Prashant Bhushan, AOR
WP C 880/17 Ms. Neha Rathi, Adv.
Mr. Pranav Sachdeva, Adv.
Ms. Alice Raj, Adv.
Ms. Shivani Kapoor, Adv.
Mr. Kamal Kishore, Adv.
Ms. Kajal Giri, Adv.

WP C 975/22 Mr. Kapil Sibal, Sr. Adv.
Mr. Varinder Kumar Sharma, AOR
Mr. Varun Thakur, Adv.
Mr. Gautam Bhatia Adv, Adv.
Mr. Pradanns. S, Adv.

Ms. Rupali Samuel, Adv.
 Ms. Aprajits Jamuel, Adv.
 Mr. Rishabh Parikh, Adv.
 Mr. Shsntanu Sharma, Adv.
 Ms. Deeksha Gaur Adv, Adv.
 Mr. Y K Prasad, Adv.

WP C 59/18

Mr. Shadan Farasat, AOR
 Ms. Hrishika Jain, Adv.
 Mr. Aman Naqvi, Adv.
 Ms. Natasha Maheshwari, Adv.
 Mr. Rizwan, Adv.
 Ms. Sachi Chopra, Adv.
 Mr. Gautam Bhatia, Adv.

WP C 1132/22

Mr. Nizam Pasha, Adv.
 Mr. Javedur Rahman, AOR
 Mr. Mudassir, Adv.
 Mr. Arif Ali, Adv.
 Ms. Aayushi Mishra, Adv.

For Respondent(s)
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Mr. R Venkataramani, Attorney General for India
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 Ms. Chinmayee Chandra, Adv.
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 Mr. Rajat Nair, Adv.
 Mr. Raman Yadav, Adv.
 Mr. Chitvan Singhal, Adv.
 Mrs. Shraddha Deshmukh, Adv.
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 Mr. Abhishek Kumar Pandey, Adv.
 Mr. Kartikay Aggarwal, Adv.

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 Mr. Raman Yadav, Adv.
 Mr. Chitvan Singhal, Adv.
 Mr. Arvind Kumar Sharma, AOR

Election Comm. Mr. Amit Sharma, AOR
 Mr. Dipesh Sinha, Adv.
 Ms. Pallavi Barua, Adv.
 Ms. Aparna Singh, Adv.

Intervenors

IA 218612/23 Mr. Vijay Hansaria, Sr. Adv.
 Ms. Sneha Kalita, AOR
 Ms. Kavya Jhavar, Adv.
 Mr. K.S.bhati, Adv.
 Ms. Jessy Kurian, Adv.
 Ms. Sr. Leona, Adv.
 Mr. Pawanshree Agarwala, Adv.

IA 106839/18 Mr. Sanjay R Hegde, Sr. Adv.
 Mr. Suren Uppal, Adv.
 Mr. Aviral Kashyap, AOR
 Mr. Shahrukh Ali, Adv.
 Mr. Sanjeev Menon, Adv.
 Ms. Stuti Srivastava, Adv.
 Ms. Vimal Sinha, Adv.
 Mr. Rajesh Kumar, Adv.

IA 156371/22 Mr. P.B. Suresh, Adv.
 Mr. Prasanna S., AOR
 Ms. Disha Wadekar, Adv.
 Ms. Deeksha Dwivedi, Adv.
 Ms. Swati Arya, Adv.
 Mr. Yuvraj Singh Rathore, Adv.

IA 222362/23 Mr. Varun K Chopra, Adv.
 Mr. Mehul Sharma, Adv.
 Mr. Abhishek Kandwal, Adv.
 M/S. Vkc Law Offices, AOR

IA 222810/23 Mr. Kaleeswaram Raj, Adv.
 Ms. Thulasi K Raj, Adv.
 Ms. Aparna Menon, Adv.
 Mr. Mohammed Sadique T.A., AOR

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

- 1 We have heard Mr Prashant Bhushan, learned counsel, Mr Kapil Sibal, learned senior counsel, Mr Shadan Farasat and Mr Nizam Pasha, learned counsel, appearing on behalf of the petitioners. Mr Vijay Hansaria, Mr Sanjay R Hegde, learned senior counsel, and Mr P B Suresh, learned counsel, appearing on behalf of the intervenors, supported the petitioners.

2 On behalf of the Union of India, we have heard Mr R Venkataramani, learned
Attorney General for India and Mr Tushar Mehta, learned Solicitor General with
Mr Kanu Agrawal, learned counsel. Submissions have been advanced on behalf
of the Election Commission of India by Mr Amit Sharma, learned counsel.

3 Arguments concluded.

4 Judgment reserved.

5 On 12 April 2019, an interim direction was issued by this Court to the Election
Commission of India. The Election Commission of India has produced in a sealed
packet data in terms of the interim order as of April 2019. The order of this
Court was not restricted to the date on which it was pronounced. If there was
any ambiguity, it was necessary for the Election Commission to seek a
clarification from this Court. In any event, we now direct that the Election
Commission shall produce up-to-date data until 30 September 2023 in terms of
the interim directions which were issued on 12 April 2019.

6 This exercise shall be carried out on or before 19 November 2023.

7 Data in a sealed packet shall be handed over to the Registrar (Judicial) of this
Court.

(SANJAY KUMAR-I)
DEPUTY REGISTRAR

(SAROJ KUMARI GAUR)
ASSISTANT REGISTRAR