

ITEM NO.1

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  
RECORD OF PROCEEDINGS

CONMT. PET. (Cr1.) No. 1/2019 in W.P.(C) No. 54/2019

THE ATTORNEY GENERAL OF INDIA

Petitioner(s)

VERSUS

PRASHANT BHUSHAN

Respondent(s)

WITH

CONMT. PET. (Cr1.) No. 2/2019 in W.P.(C) No. 54/2019 (PIL-W)  
(FOR ADMISSION)

Date : 07-03-2019 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ARUN MISHRA  
HON'BLE MR. JUSTICE NAVIN SINHA

Counsel for parties

Mr. K.K. Venugopal, AG  
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Mr. Govind Manohar, Adv.  
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Ms. Neha Rathi, Adv.  
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Mr. Anand Grover, Sr. Adv.  
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Ms. Astha Sharma, Adv.  
Ms. Nehmat Kaur, Adv.  
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Mr. Amit Verma, Adv.  
Mr. Abhishek Manchanda, Adv.  
Ms. Dimple Nagpal, Adv.

Mr. Shadan Farasat, Adv.  
Ms. Jahnavi Sindhu, Adv.  
Ms. Shruti Narayan, Adv.  
Mr. Shadan Farasat, Adv.

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

An application has been filed by the respondent that one of us (Arun Mishra, J.) should recuse from the matter.

We have heard the learned counsel for the parties, on the application, at length. Various averments have been made in the application for recusal. At the same time, after matter was heard at length, a note addressed to this Court has been given by Mr. Prashant Bhushan. The respondent states that "he made a genuine mistake in the tweets on 1<sup>st</sup> February, 2019 in view of the letter of the Leader of Opposition and the attendant circumstances". The same is taken on record.

Mr. K.K. Venugopal, learned Attorney General for India, on the previous date, has also made a statement that he is more interested that issue as to comments being made in respect of *sub judice* matters deserves to be decided in this case. He had made a very fair statement even on the first date when the notice was issued to Mr. Prashant Bhushan that he is not at all interested in punishment but Mr. Prashant Bhushan should have admitted his mistake but he had not done so at that time. Even today he has repeated that statement and has stated that in view of the mistake that has been committed and admitted by Mr. Bhushan, he is not interested in punishment part of the petition.

However, since this Court has taken the cognizance of the

matter, we would like to decide the issue involved in the matter and there is a petition filed by the Government.

The effects of filing the recusal application shall also be considered while taking a call on the aforesaid issue on merits. It is made clear that there is absolutely no reason for recusal and we will deal with effect of this application also while deciding the matter.

For further hearing on these petitions as well as on the applications, as the case has been heard in part, list on 03.04.2019 as part heard.

(NARENDRA PRASAD)  
COURT MASTER

(JAGDISH CHANDER)  
COURT MASTER