

ITEM NO.2

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 (Criminal) No. 31/2007

B.G. VERGHESE

Petitioner

VERSUS

UNION OF INDIA MINISTRY OF HOME AFFAIRS & ANR.

Respondents

WITH

W.P.(Cr1.) No. 83/2007 (PIL-W)

(For ON IA 16603/2007, FOR EXEMPTION FROM FILING O.T. ON IA 8088/2007, FOR DISPENSING WITH SERVICE OF NOTICE ON IA 8087/2007 FOR ON IA 16643/2014)

Date : 12-12-2018 This matter was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
HON'BLE MR. JUSTICE K.M. JOSEPH

For Petitioner

Mr. Prashant Bhushan, AOR

M/s. K.J. John And Co, AOR

For Respondents/
Applicants

Mr. Tushar Mehta, SG
Ms. Aishwarya Bhati, Adv.
Mr. Rahul Tyagi, Adv.
Mr. B.V. Balram Das, Adv.

Mr. Tushar Mehta, SG
Ms. Hemantika Wahi, AOR
Ms. Vishakha, Adv.

Mr. Rakesh Dwivedi, Sr. Adv.
Mr. Ishan Bisht, Adv.
Ms. Diksha Rai, Adv. (AOR)
Mr. Eklavya Dwivedi, Adv.
Ms. Palak Mahajan, Adv.

UPON hearing the counsel the Court made the following

O R D E R

After submission of 10 interim reports, the

11th (final) report has been submitted. We have perused some of the interim reports, as well as, the 11th (final) report submitted on 26.2.2018. An objection has been raised by the State of Gujarat that the copy of the 11th (final) report submitted by Justice Bedi is a unilateral action on the part of the learned Judge without taking views of the other members of the Monitoring Authority in contradistinction to the practice followed while submitting the earlier interim reports. On the aforesaid ground, it has been prayed on behalf of the State of Gujarat that the Court should consider whether the copy of the 11th (final) report in the form in which it has been submitted to the Court should be supplied to any of the parties including the petitioners.

Having perused the interim reports and the 11th (final) report submitted on 26.2.2018 and having noticed the tenor thereof, we are of the view that at this stage, we should request Justice Bedi to inform the Court as to whether the final report submitted on 26.2.2018 was shared with other members of the Monitoring Authority and whether Justice Bedi as the Chairman of the Monitoring Authority appointed by this Court by its previous orders, considers it necessary to take the views of the other members of the Monitoring Authority if the 11th (final) report has been submitted unilaterally by the learned Judge. We would request Justice Bedi to communicate his views as expeditiously as possible to enable the Court to take up the matter on reopening of the Court after the winter break, on 9.1.2019. The 11th (final) report submitted by Justice Bedi on 26.2.2018 alongwith all copies thereof, which have been placed before us be resealed and kept in sealed covers only, until further orders.

The Registry is directed to communicate the present order to Justice Bedi.

**(Deepak Guglani)
Court Master**

**(Anand Prakash)
Court Master**