

ITEM NO.1 + 2 Court 6 (Video Conferencing) 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

ITEM No.1:

Miscellaneous Application No(s).919 of 2020 in W.P.(C)No.279/2017

(Arising out of impugned final judgment and order dated 13-11-2019 in W.P.(C) No.279/2017 passed by the Supreme Court Of India)

KUDRAT SANDHU

Petitioner(s)

VERSUS

UNION OF INDIA MINISTRY OF FINANCE SECRETARY

Respondent(s)

(IA No. 59784/2020 - APPROPRIATE ORDERS/DIRECTIONS)

ITEM No.2:

MA No.1058 of 2020 in W.P,(C)No.640 of 2017

ITEM No.2.1:

MA No.1152 of 2020 in W.P,(C)No.279 of 2017  
(I.A.No.66296, 66298 and 66299 of 2020)

Date : 04-08-2020 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE L. NAGESWARA RAO  
HON'BLE MR. JUSTICE S. RAVINDRA BHAT

For the parties:

Mr. Arvind Datar, Sr. Adv. (A.C.)

Mr. K K Venugopal, Ld. AG  
Mr. R Balasubramaniam, Sr. Adv.  
Ms. Shardha Deshmukh, Adv.  
Mr. Zoheb Hussain, Adv.  
Mr. Ankur Talwar, Adv.  
Mr. Chinmoy Chandra, Adv.  
Mr. B. K. Prasad, AOR  
Mr. A. K. Sharma AOR

Mr. C A Sundaram, Sr. Adv.  
Ms. Priya Hingorani, Sr. Adv.  
Mr. A K Behera, Adv  
Mr. V.K. Verma, Adv  
Mr. Tarun Verma, Advocate

Mr. V.K. Verma, AOR

Mr. Zoheb Hossain, AOR

Mr. E. C. Agrawala, AOR

Mr. Parag P. Tripathi, Adv.

Mr. Vivek Sharma, AOR

Mr. C.S. Vaidyanathan, Sr. Adv.

Mr. Sameer Abhyankar, AOR

Mr. Nalin Talwar, Adv.

Mr. Amish Tandon, Adv.

Mr. Ayush Beotra, Adv.

Mr. Akshay Joshi, Adv.

Mr. Vikas Singh, Sr. Adv.

Mr. Rupesh Kumar, AOR

Mr. Rajeev Sharma, Adv

Ms. Neelam Sharma, Adv

Ms. Pankhuri Shrivastava, Adv

Mr. Manish Raghav, Adv.

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

IA NO.59784/2020 in Miscellaneous Application No.919/2020  
in W.P.(C)No.279/2017:

This application has been filed on behalf of the Delhi State and District Consumer Courts Practitioners Welfare Association for a direction to the respondents to make appointments against all vacant posts in the Consumer Forum. The further relief of extension of the term of Shri O.P. Gupta as Member (Judicial), State Consumer Disputes Redressal Commission, Delhi till appointments are made is also sought. Notice was issued in this application on 17.7.2020.

None appeared for the respondents today. Learned counsel for the petitioner is permitted to inform learned Advocate on Record for the respondents about the next date of hearing.

List this application on 18.8.2020.

In the meanwhile, the term of Shri O.P. Gupta, Member (Judicial), State Consumer Disputes Redressal Commission, Delhi is extended for a further period of six months.

IA NO.66296/2020, 66298 and 66299/2020 in MA No.1152/2020 in W.P,(C)No.279 of 2017:

Application for intervention is allowed.

The applicant was appointed as a Member (Technical) in CESTAT on 29.3.2018. According to Rule 16 of 1987 Rules, the age of superannuation of a Member is 62 years. The applicant is sought to be retired on 9.8.2020 by applying the old Rules. It is submitted by Mr. C.S. Vaidyanathan, learned senior counsel that the applicant is entitled to continue for a period of four years in accordance with Tribunal, Appellate tribunal and other Authorities (Qualification, Experience and other conditions of Service of Members) Rules, 2020 ("2020 Rules"). For the present, we extend the term of the applicant for a period of three months.

Mr. C.A. Sundaram, learned senior counsel submits that appointments are not made even after selections have been completed and names recommended by the Selection Committee.

A status report relating to the appointments to the posts of Members of Central Administrative Tribunal shall be filled before the next date of hearing.

List the I.A.'s on 7.9.2020.

The Registry is directed to list Writ Petition (Civil) Dy.No.16100 of 2020 for admission on 10.8.2020.

(B.Parvathi)  
Court Master

(Anand Prakash)  
Court Master