

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
RECORD OF PROCEEDINGS

Writ Petition (Civil) No.274/2009

ASSAM PUBLIC WORKS

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(With IA No.14361/2021 - CONTEMPT PETITION and IA No.14359/2021 - CONTEMPT PETITION)

WITH W.P.(C) No.916/2014 (PIL-W)

(WITH IA No.138341/2019 - APPROPRIATE ORDERS/DIRECTIONS)

Diary No.34152/2018 (XIV)

(With IA No.135242/2018 - CONDONATION OF DELAY IN FILING, IA No.135243/2018 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No.160372/2018 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, IA No.135345/2018 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, IA No.135241/2018 - PERMISSION TO FILE WP)

Diary No.21214/2018 (XIV)

(With IA No.84178/2018 - CONDONATION OF DELAY IN FILING)

Diary No.20944/2018 (XIV)

(With I.R. and IA No.80351/2018-CONDONATION OF DELAY IN FILING and IA No.80352/2018-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.80350/2018-PERMISSION TO FILE WP)

Diary No.21959/2018 (XIV)

(With IA No.82961/2018-CONDONATION OF DELAY IN FILING and IA No.82962/2018-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.82959/2018-PERMISSION TO FILE WP)

Diary No.21377/2018 (XIV)

(With I.R. and IA No.92415/2018-CONDONATION OF DELAY IN FILING and IA No.92417/2018-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.92411/2018-PERMISSION TO FILE WP and IA No.92419/2018-CONDONATION OF DELAY IN REFILING)

Diary No.21368/2018 (XIV)

(With I.R. and IA No.82085/2018-CONDONATION OF DELAY IN FILING and IA No.82087/2018-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

and IA No.82088/2018-INTERVENTION/IMPLEADMENT and IA No.82084/2018-PERMISSION TO FILE WP and IA No.82086/2018-PERMISSION TO FILE ADDITIONAL DOCUMENTS)

W.P.(C) No.470/2018 (X)

(With I.R. and IA No.69948/2018-EXEMPTION FROM FILING O.T.)

W.P.(C) No.1047/2018 (X)

(With IA No.125802/2018-EXEMPTION FROM FILING O.T.)

W.P.(C) No.68/2016 (PIL-W)

(With IA No.1/2017 - INTERVENTION APPLICATION)

W.P.(C) No.876/2014 (X)

(With IA No.36773/2021 - EXEMPTION FROM FILING O.T. and IA No.1/2014 - STAY APPLICATION)

W.P.(C) No.449/2015 (X)

(With IA No.120151/2018 - CLARIFICATION/DIRECTION, IA No.120136/2018 - CLARIFICATION/DIRECTION and IA No.120147/2018 - INTERVENTION/IMPLEADMENT)

W.P.(C) No.450/2015 (X)

W.P.(C) No.311/2015 (X)

SLP(C) No.25858/2015 (XIV)

W.P.(C) No.562/2012 (X)

Date : 10-01-2023 These matters were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE M.R. SHAH
HON'BLE MR. JUSTICE KRISHNA MURARI
HON'BLE MS. JUSTICE HIMA KOHLI
HON'BLE MR. JUSTICE PAMIDIGHANTAM SRI NARASIMHA

For Petitioner(s)

WPC 274/2009

Mr. Mukul Kumar, AOR

Diary 34152/2018

Mr. Shivendra Singh, AOR
Mr. Dhananjaya Mishra, Adv.
Mr. Bikram Dwivedi, Adv.
Dr. Mukut Nath Verma, Adv.
Mr. Rohan Sharma, Adv.

Diary 21214/2018 & Diary 21377/2018	Mr. Mansoor Ali, AOR Mr. Bilal Mansoor, Adv.
Diary 20944/2018, Diary 21959/2018 & WPC 470/2018	Mr. Fuzail Ahmad Ayyubi, AOR Mr. Ibad Mushtaq, Adv.
WPC 1047/2018	Mr. Somesh Chandra Jha, AOR
WPC 68/2016, WPC 876/2014 & WPC 311/2015	Mr. Somiran Sharma, AOR Mr. Dhrubajit Saikia, Adv.
WPC 449/2015 & WPC 450/2015	Mr. Sunil Murarka, Adv. Mr. Partha Sil, AOR Mr. Tavish Bhushan Prasad, Adv. Ms. Sayani Bhattacharya, Adv.
SLPC 25858/2015	Mr. Sanjay Hegde, Sr. Adv. Mr. Anas Tanwir, Adv. Ms. Sonal Suryawanshi, Adv. Ms. Masoom Raj Singh, Adv. Mr. Mrigank Prabhakar, AOR
WPC 562/2012	Mr. K N Choudhury, Sr. Adv. Mr. Manish Goswami, Adv. Mr. Rangon Choudhury, Adv. Mr. Rameshwar Prasad Goyal, AOR
For Respondent(s)	Mr. R Venkataramani, AG Mr. Tushar Mehta, SG Mr. K.M. Nataraj, ASG Mrs. Rekha Pandey, Adv. Mrs. Shraddha Deshmukh, Adv. Mr. Ankur Talwar, Adv. Mr. Shuvodeep Roy, Adv. Mrs. Ruchi Kohli, Adv. Mr. Kanu Agarwal, Adv. Mrs. Ruchi Narula Gour, Adv. Mrs. Diksha Rai, Adv. Mr. Rajat Nair, Adv. Mr. Kanu Agrawal, Adv. Mr. Shreyas U. Lalit, Adv.

Mr. Akshit Pradhan, Adv.
Mr. Annirudh Bhatt, Adv.
Mr. Arvind Kumar Sharma, AOR

Mr. R. Venkataramani, AG
Mr. Tushar Mehta, SG
Ms. Diksha Rai, AOR
Mr. Ankit Agarwal, Adv.
Ms. Ragini Pandey, Adv.

Mr. Tushar Mehta, SG
Mr. Shuvodeep Roy, AOR
Mr. Sai Shashank, Adv.
Mr. Arnav Singh Deo, Adv.
Mr. Deepayan Dutta, Adv.

Mr. Gaurav Dhingra, AOR

Ms. Ruchi Kohli, AOR

Ms. Sneha Kalita, AOR

Ms. Krishna Sarma, Adv.
Mr. Navnit Kumar, Adv.
M/s. Corporate Law Group

Mr. Ardhendumauli Kumar Prasad, A.A.G.
Mr. Pradeep Misra, AOR
Mr. Suraj Singh, Adv.
Mr. Manoj Kumar Sharma, Adv.
Mr. Bhuwan Chandra, Adv.

Mr. B. Krishna Prasad, AOR

Mr. T. Mahipal, AOR

Mr. Syed Ali Ahmad, Adv.
Mr. Syed Tanweer Ahmad, Adv.
Mr. S S Bandyopadhyay, Adv.
Mr. S Kundu, Adv.
Mr. Nitesh, Adv.
Mr. Abhaya Nath Das, Adv.
Ms. Saket Gautam, Adv.

Ms. Riya Soni, Adv.

Mr. Satish Kumar, AOR

Mr. Shibashish Misra, AOR

Mr. Shadan Farasat, AOR

Mr. Snehasish Mukherjee, AOR

Mr. Guntur Prabhakar, AOR

Mr. Abhijit Sengupta, AOR

Mr. Salman Khurshid, Sr. Adv.

Mr. Fuzail Ahmad Ayyubi, AOR

Mr. Mustafa Khaddam Hussain, Adv.

Mr. Ibad Mushtaq, Adv.

Ms. Lubna Naaz, Adv.

Ms. Tehsheena Z Hussain, Adv.

Ms. Amma Darakshan, Adv.

Ms. Indira Jaising, Sr. Adv.

Mr. Fuzail Ahmad Ayyubi, AOR

Mr. Mustafa Kaddam Hussain, Adv.

Mr. Paras Nath Singh, Adv.

Mr. Mohammad Wasim, Adv.

Mr. Rohin Bhatt, Adv.

Ms. Madhumita Bhattacharjee, AOR

Mr. Chanchal Kumar Ganguli, AOR

Mr. Debojit Borkakati, AOR

Mr. Mohit D. Ram, AOR

Mr. Sidhant Kumar, Adv.

Mr. Sahil Tagotra, AOR

Ms. Vidhi Udayshankar, Adv.

M/s. PLR Chambers & Co.

Ms. G. Indira, AOR

Ms. Malvika Trivedi, Sr. Adv.

Mr. Ankit Yadav, AOR

Ms. Prakriti Rastogi, Adv.
Ms. Sujal Gupta, Adv.
Mr. Shailendra Slaria, Adv.

Mr. G.N. Reddy, AOR

Mr. Ashok Kumar Singh, AOR
Mr. Shantwanu Singh, Adv.
Ms. Pragya Singh, Adv.
Mr. Akshay Singh, Adv.

Mrs. Niranjana Singh, AOR

Mr. P.V. Yogeswaran, AOR

Mr. Sumeer Sodhi, AOR
Mr. Gaurav Arora, Adv.

Mr. V.K. Sidharthan, AOR

Mr. Gopal Singh, AOR

Mr. Merusagar Samantaray, AOR

Mr. Anuvrat Sharma, AOR

Ms. Hemantika Wahi, AOR

Mr. Vishnu Sharma, Adv.
Mr. Anando Mukherjee, AOR
Mr. Shwetank Singh, Adv.
Ms. Ekta Bharati, Adv.

Mr. C.K. Sasi, AOR
Mr. Abdull Naseeh V T, Adv.
Ms. Meena K Poullose, Adv.

Ms. Liz Mathew, AOR

Mr. Abhinav Mukerji, AOR

Mr. Sunny Choudhary, AOR

Mr. Tapesb Kumar Singh, AOR
Mr. Tapesb Kumar Singh, A.A.G.
Mr. Aditya Pratap Singh, Adv.

M/s. K.J. John & Co.

Mr. Pukhrambam Ramesb Kumar, AOR
Mr. Karun Shrama, Adv.
Ms. Anupama Ngangom, Adv.
Mr. W. Immanuel Meitei, Adv.

Mr. Avijit Mani Tripathi, AOR
Mr. T.K. Nayak, Adv.
Mr. Vikas Bansal, Adv.
Mrs. Rekha Bakshi, Adv.

Dr. Manish Singhvi, Sr. Adv.
Mr. Ashok Basoya, Adv.
Mr. Sandeep Kumar Jha, AOR
Mr. Arpit Prakash, Adv.
Mr. Vikalp Sharma, Adv.

Mr. V.N. Raghupathy, AOR
Mr. Varun Varma, Adv.

Ms. K. Enatoli Sema, AOR
Ms. Limayinla Jamir, Adv.
Mr. Amit Kumar Singh, Adv.
Ms. Chubalemla Chang, Adv.
Mr. Prang Newmai, Adv.

Mr. Milind Kumar, AOR

Ms. Swati Ghildiyal, AOR
Ms. Devyani Bhatt, Adv.

Ms. Ranjeeta Rohatgi, AOR

Mr. Kuldip Singh, AOR

Mr. Vinod Ghai, Sr. Adv., Adv.Gen.
Mr. Aman Pal, AAG
Mr. Ajay Pal, AOR

Ms. Kanika Ahuja, Adv.
Mr. Mayank Dahiya, Adv.

Mr. Narendra Kumar, AOR
Mr. Narendra Kumar, Adv.
Mr. Raghvendra Kumar, Adv.
Mr. Anand Kumar Dubey, Adv.
Mr. Rajiv Kumar Sinha, Adv.
Mr. Nishant Verma, Adv.
Mr. Ashish Kumar Sinha, Adv.

Mr. B. Balaji, AOR

Mrs. Swarupama Chaturvedi, AOR

Mr. Siddharth Sangal, AOR
Ms. Nilanjani Tandon, Adv.
Mr. Chirag Sharma, Adv.
Mr. Lalit Allawadhi, Adv.
Ms. Richa Mishra, Adv.

Mr. Parijat Sinha, AOR
Ms. Sneha Kalita, AOR

Mr. Ajay Tewari, Sr. Adv.
Mr. Abhimanyu Tewari, AOR
Ms. Eliza Bar, Adv.

Mr. Anjani Kumar Mishra, AOR
Mrs. Hardeep Mishra, Adv.
Mr. Praveen Mishra, Adv.
Dr. Arun Kumar Jha, Adv.

Mr. Sanand Ramakrishnan, AOR
Ms. Rashmi Singhanian, AOR
Mr. Sunny Choudhary, AOR
Ms. Rashmi Nandakumar, AOR
Mr. Praveen Swarup, AOR

Mr. Salman Khurshid, Sr. Adv.
Mr. Fuzail Ahmad Ayyubi, AOR
Mr. Mustafa Khaddam Hussain, Adv.
Mr. Ibad Mushtaq, Adv.

Ms. Lubna Naaz, Adv.
Ms. Tehsheena Z Hussain, Adv.
Ms. Amma Darakshan, Adv.

Mr. Mansoor Ali, AOR
Mr. Dushyant Dave, Sr. Adv.
Mr. M.r. Shamshad, Adv.
Ms. Nabeela Jameel, Adv.
Mr. Arijit Sarkar, Adv.
Mr. Bilal Mansoor, Adv.

Ms. Malvika Trivedi, Sr. Adv.
Mr. Ankit Yadav, AOR
Ms. Prakriti Rastogi, Adv.
Ms. Sujal Gupta, Adv.
Mr. Shailendra Slaria, Adv.

Mr. Abhishek, AOR
Mr. Shadan Farasat, AOR
Mr. Rameshwar Prasad Goyal, AOR
Mr. Mohan Pandey, AOR
Mr. Krishna Dev Jagarlamudi, AOR
Mr. Shibashish Misra, AOR

Dr. Manish Singhvi, Sr. Adv.
Mr. Ashok Basoya, Adv.
Mr. Sandeep Kumar Jha, AOR
Mr. Arpit Prakash, Adv.
Mr. Vikalp Sharma, Adv.

Mr. G. N. Reddy, AOR
Mr. Avijit Roy, AOR

Mr. Salman Khurshid, Sr. Adv.
Mr. Fuzail Ahmad Ayyubi, AOR
Mr. Mustafa Khaddam Hussain, Adv.
Mr. Ibad Mushtaq, Adv.
Ms. Lubna Naaz, Adv.
Ms. Tehsheena Z Hussain, Adv.
Ms. Amma Darakshan, Adv.

Mr. Syed Ali Ahmad, Adv.
Mr. Syed Tanweer Ahmad, Adv.

Mr. S S Bandyopadhyay, Adv.
Mr. S Kundu, Adv.
Mr. Nitesh, Adv.
Mr. Abhaya Nath Das, Adv.
Ms. Saket Gautam, Adv.
Ms. Riya Soni, Adv.
Mr. Satish Kumar, AOR

Ms. Krishna Sarma, Adv.
Mr. Navnit Kumar, Adv.
M/s. Corporate Law Group

Ms. Aparna Bhat, AOR

Mr. Dushyant Dave, Sr. Adv.
Mr. Mansoor Ali, AOR
Mr. M.r. Shamshad, Adv.
Ms. Nabeela Jameel, Adv.
Mr. Arijit Sarkar, Adv.
Mr. Bilal Mansoor, Adv.

Mr. Somesh Chandra Jha, AOR

Mr. Partha Sil, AOR

Mr. Harsh Parashar, AOR

Mr. Mohit Chaudhary, AOR

Mrs. Swarupama Chaturvedi, AOR

Ms. Depanwita Priyanka, Adv.

Dr. Joseph Aristotle S., Adv.
Mr. Shobhit Dwivedi, Adv.
Mr. Sanjeev Kr. Mahara, Adv.
Ms. Vaidehi Rastogi, Adv.

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

- 1 Presently, the following issue is framed for primary determination before the Constitution Bench:

“Whether Section 6A of the Citizenship Act 1955 suffers from any constitutional infirmity.”

- 2 The written submissions together with a joint compilation shall be filed within a period of three weeks.
- 3 For the purpose of preparing a common compilation of (i) precedent; (ii) legislation; and (iii) documentary material, Ms Diksha Rai, counsel assisting Attorney General for India, Mr Manish Goswami, counsel assisting Mr K N Choudhary, senior counsel and Mr Fuzail Ahmad Ayyubi, counsel assisting Mr Kapil Sibal, senior counsel are nominated as nodal counsel. The nodal counsel are requested to prepare the common compilation duly indexed and to circulate it to all the counsel appearing on behalf of the contesting parties as well as to the Court Master for circulation to the Bench. This exercise shall be completed within a period of three weeks.
- 4 List the Petitions immediately after Writ Petition (Civil) No 493 of 2022 [*Subhash Desai vs Principal Secretary, Governor Maharashtra and Others*] on 14 February 2023.

(CHETAN KUMAR)
A.R. - cum - P.S.

(BEENA JOLLY)
Court Master