

ITEM No.1

COURT NO.6

SECTION XIV

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).15436/2009

(From the judgement and order dated 02/07/2009 in WP No. 7455/2001
of The HIGH COURT OF DELHI AT N. DELHI)

SURESH KUMAR KOUSHAL & ANR.

Petitioner(s)

VERSUS

NAZ FOUNDATION & ORS.

Respondent(s)

(With appln(s) for intervention and with prayer for interim relief
and office report)

WITH

SLP(C) NO. 24334 of 2009

(With appln.(s) for c/delay in filing addl.documents and office
report)

S.L.P.(C)...CC NO. 13105 of 2009

(For permission to file SLP and office report)

SLP(C) NO. 22267 of 2009

(With appln.(s) for exemption from filing c/c of the impugned
judgment and permission to place addl.documents on record and
office report)

SLP(C) NO. 34187 of 2009

(With appln.(s) for exemption from filing c/c of the impugned
judgment and permission to file SLP and office report)

SLP(C) NO. 286 of 2010

(With appln.(s) for c/delay in filing SLP and permission to place
additional documents on record and clarification/modification of
court's order and permission to file addl.documents and office
report)

SLP(C) NO. 872 of 2010

(With appln.(s) for c/delay in filing SLP and exemption from filing
c/c of the impugned judgment and c/delay in refiling SLP and office
report)

SLP(C) NO. 873 of 2010

(With appln.(s) for c/delay in filing SLP and exemption from filing
c/c of the impugned judgment and permission to place addl.documents
on record and office report)

SLP(C) NO. 36216 of 2009

(With prayer for interim relief and office report)

S.L.P.(C)...CC NO. 19478 of 2009

(For permission to file SLP and office report)

S.L.P.(C)...CC NO. 425 of 2010

(For permission to file SLP and with prayer for interim relief and
office report)

SLP(C) NO. 20913 of 2009

(With appln.(s) for exemption from filing c/c of the impugned judgment and office report)

SLP(C) NO. 20914 of 2009

(With appln.(s) for exemption from filing c/c of the impugned judgment and office report)

SLP(C) NO. 25346 of 2009

(With appln.(s) for exemption from filing c/c of the impugned judgment and with prayer for interim relief and office report)

S.L.P.(C)...CC NO. 14042 of 2009

(For permission to file SLP and with prayer for interim relief and office report)

Date: 28/02/2012 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI

HON'BLE MR. JUSTICE SUDHANSU JYOTI MUKHOPADHAYA

For Petitioner(s)
In SLP(C)24334/09

Mr.A.Sharan, Sr.Adv.
Mr. Amit Anand Tiwari, Adv.

In SLP(C)34187/09

Ms. Kiran Suri, Adv.
Mr.S.J.Amith, Adv.
Mr.Nakibur Rahman Barbhuiya, Adv.

In SLP(C)..../10
(CC No.425)

Mr.Huzefa Ahmadi, Adv.
Mr. Ejaz Maqbool, Adv.
Ms.Garima Kapoor, Adv.
Mr.Rishad A.Chaudhary, Adv.

In SLP(C)22267/09

Mr.Harshvir Pratap Sharma, Adv.
Mr.Sharad Kumar Vaish, Adv.
Mr.K.S.Rana, Adv.

In SLP(C)15436/09

Mr. Praveen Agrawal, Adv.
Mr.Vikram P., Adv.
Mr.Rajesh Ranjan Singh, Adv.
Mr.Yudhishter Sharma, Adv.

In SLP(C)20914/09
& CC No.19478/09

Mr.V.Giri, Sr.Adv.
Mr.Manoj V.George, Adv.
Mr.Alex Joseph, Adv.
Mr.K.Gireesh Kumar, Adv.
Mr.Irshad Hanif, Adv.
Ms.Tehmina Arora, Adv.
Mr.K.C.Ranjith, Adv.

In SLP(C)873/10

Mr.Shaikh Chand Saheb, Adv.
Mr.Vijendra Kumar, Adv.
Mr. Mushtaq Ahmad, A.O.R.

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In SLP(C)20913/09

Mr.Ajay Kumar, Adv.
Mr. Satish Aggarwal, A.O.R.

Mr. Lakshmi Raman Singh, A.O.R.

In SLP(C)36216/09 Mr. Sushil Kumar Jain, Adv.
Mr.Puneet Jain, Adv.
Mrs.Rachitta Priyanka, Adv.

Mr. K.C. Dua, A.O.R.

Mr.Ram Murti, petitioner-in-Person

Mr.P.V.Yogeswaran, A.O.R.

For Respondent(s) Mr.Mohan Jain, ASG
For Ministry of Mr.Ashok Bhan, Sr.Adv.
Health Mr.J.S.Atri, Sr.Adv.
Mr.R.K.Rathore, Adv.
Mr.T.A.Khan, Adv.
Mr.D.K.Thakur, Adv.
Mr.Prabhat Kumar, Adv.

For Intervenor in Mr.Fali S.Nariman, Sr.Adv.
SLP(C)15436/09 Mr.Subhash Sharma, Adv.
Mr.Nikhil Nayyar, Adv.
Mr.Arvind Narrain, Adv.
Ms.Pritha Srikumar, Adv.

For RR No.1 in Mr.Anand Grover, Sr.Adv.
SLP(C)15436/09 Ms.Shivangi Rai, Adv.
Ms.Amritananda Chakravorty, Adv.
Mr.Mihir Samson, Adv.
Mr.Chanchal Kumar Ganguli, Adv.

In SLP(C)24334/09 Mr.T.S.Doabia, Sr.Adv.
Mr.Sunil Roy, Adv.
Dr.Ch.Shamsuddin Khan, Adv.

Mr.Sidharth Luthra, Sr.Adv.
Ms.Arundhati Kaiju, Adv.

In SLP(C)15436/09 Mr.K.Radhakrishnan, Sr.Adv.
Mr.Abraham M.Pattiyani, Adv.
Mrs.Manju A.Pattiyani, Adv.
Dr.Ashwani Bhardwaj, Adv.

For RR No.11 in Mr.Shyam Divan, Sr.Adv.
In SLP(C)15436/09 Mr.P.Ramesh Kumar, Adv.
Mr.Mayur Suresh, Adv.
Mr.Vasuman Khandelwal, Adv.

In I.A.No.13 In Ms.Meenakshi Arora, Adv.

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SLP(C)15436/2009 Ms.Vaishnavi, Adv.

For Intervenor in Mr.Ashok Desai, Sr.Adv.
I.A.No.6/2009 Ms.Menaka Guruswamy, Adv.
Mr.Bipin Aspatwar, Adv.

Mr. Praneet Ranjan, Adv.

Mr.Brahmajeet Mishra, Adv.

For Intervenor in
In SLP(C)15436/09

Mr.Gautam Narain, Adv.
Mr.Siddharth Narrain, Adv.
Mr.Rajat Kumar, Adv.

In SLP(C)15436/09

Mr.H.P.Sharma, Adv.
Mr.K.S.Rana, Adv.

Mr.S.K.Sinha, A.O.R.

Mr.Purshottaman Mullali, Respondent-in-person

Mr. Pukhrambam Ramesh Kumar,A.O.R.

Mr.Mohit Kumar Shah, A.O.R.

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

At the commencement of further hearing, Shri Mohan Jain, learned Additional Solicitor General appeared and read out what he termed as the recommendations made by the Group of Ministers and the decision of the Cabinet. He then made submissions on behalf of the Ministry of Health.

After Shri Jain concluded his submissions, Shri Harshvir Pratap Sharma, Shri Praveen Agrawal and Shri Sushil Kumar Jain, representing various petitioners and parties made their submissions.

For further arguments, the cases are adjourned to 29.02.2012.

To be taken up as the first case.

Learned Additional Solicitor General should file an affidavit of the concerned Secretary incorporating therein the recommendations made by the Group of Ministers and the decision taken by the Cabinet. The needful be done within three days.

(Satish K.Yadav)
Court Master

(Phoolan Wati Arora)
Court Master

