

ITEM NO.17

COURT NO.1

SECTION X

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 (Civil) No.1077/2023

JAYANT PATIL

Petitioner(s)

VERSUS

THE SPEAKER MAHARASHTRA STATE LEGISLATIVE ASSEMBLY

Respondent(s)

(With IA No.199789/2023-EXEMPTION FROM FILING O.T.)

WITH W.P.(C) No.685/2023 (X)

(With IA No.205221/2023 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 145688/2023 - INTERVENTION APPLICATION, IA No.145456/2023 - INTERVENTION APPLICATION, IA No.147986/2023 - INTERVENTION/IMPLEADMENT, IA No.192821/2023 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES and IA No.190001/2023 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 30-10-2023 These petitions were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE J.B. PARDIWALA
HON'BLE MR. JUSTICE MANOJ MISRA

For Petitioner(s) Mr. Kapil Sibal, Sr. Adv.
Mr. Abhishek Manu Singhvi, Sr. Adv.
Mr. Devdatt Kamat, Sr. Adv.
Mr. Rohit Sharma, Adv.
Mr. Pranjal Agarwal, Adv.
Mr. Nishanth Patil, Adv.
Mr. Nikhil Purohit, Adv.
Mr. Jatin Lalwani, Adv.

Ms. Aparajita Jamwal, Adv.
Mr. Abhik Chimni, Adv.
Mr. Harsh Pandey, Adv.
Ms. Revanta Solanki, Adv.
Mr. Anubhav Kumar, Adv.
Mr. Muhammad Khan, Adv.
Mr. Uday Bhatia, Adv.
Mr. Amit Bhandari, Adv.
Mr. Kumar Dushyant Singh, AOR

WPC 685/2023

Mr. Kapil Sibal, Sr. Adv.
Mr. Abhishek Manu Singhvi, Sr. Adv.
Mr. Devadatt Kamat, Sr. Adv.
Mr. Rohit Sharma, Adv.
Mr. Nishanth Patil, AOR
Mr. Sunny Jain, Adv.
Mr. Nizam Pasha, Adv.
Mr. Amit Bhandari, Adv.
Mr. Javedur Rahman, Adv.
Mr. Rajesh Inamdar, Adv.
Mr. Nikhil Purohit, Adv.
Mr. Jatin Lalwani, Adv.
Ms. Aprajita Jamwal, Adv.
Mr. Harsh Pandey, Adv.
Mr. Revanta Solanki, Adv.
Mr. Anubhav Kumar, Adv.
Mr. Vignesh Adithiya S, Adv.

For Respondent(s)

Mr. Tushar Mehta, SG
Mr. Kanu Agrawal, AOR
Mr. Amjith Mavilattu Anandhan, Adv.
Mr. Sachin R. Pawar, Adv.
Mr. Madhav Sinhal, Adv.

Mr. Mukul Rohatgi, Sr. Adv.
Mr. Neeraj K Kaul, Sr. Adv.
Mr. Maninder Singh, Sr. Adv.
Mr. Siddharth Bhatnagar, Sr. Adv.
Mr. Abhikalp Pratap Singh, AOR
Mr. Shrirang Verma, Adv.
Ms. Yamini Singh, Adv.
Mr. Aditya Krishna, Adv.

Mr. Kartikey, Adv.

Mr. Mukul Rohtagi, Sr. Adv.

Mr. Nishit Agrawal, AOR

Ms. Devanshi Papat, Adv.

Mr. Keshav Sehgal, Adv.

Mr. C.A. Sundaram, Sr. Adv.

Mr. Nivesh Kumar, AOR

Mr. Maninder Singh, Sr. Adv.

Mr. Siddharth Dave, Sr. Adv.

Mr. Utsav Trivedi, Adv.

Mr. Himanshu Sachdeva, Adv.

Ms. Manini Roy, Adv.

Ms. Diksha Tyagi, Adv.

Mr. Arpit Gupta, AOR

Mr. Girish Bhardwaj, Adv.

Mr. Sachin Mintri, Adv.

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

- 1 We have repeatedly furnished opportunities to the Speaker, as the tribunal to conclude the proceedings under the Tenth Schedule expeditiously.
- 2 An affidavit has been filed by the Secretary of the Maharashtra Legislature Secretariat. The affidavit indicates that there are two groups of disqualification petitions: (i) Group A which consists of 34 petitions concerning the Shiv Sena; and (ii) Group B which deals with 5 petitions concerning the Nationalist Congress Party. The affidavit indicates that the Legislative Secretariat will be closed during the ensuing Diwali vacation from 10 to 16 November 2023 and the Winter Session of the Assembly at Nagpur will be held between 7 December 2023 to 20 December 2023.
- 3 The procedural wranglings between contesting parties should not be permitted to delay the conclusion of the petitions for disqualification under

the Tenth Schedule. The proceedings shall be concluded and final orders shall be passed in respect of Group A petitions on or before 31 December 2023; and Group B petitions on or before 31 January 2024.

- 4 During the course of the hearing, it has been agreed that the convenience compilation which was filed before this Court in the course of the hearing before the Constitution Bench shall be taken on the record before the Speaker subject to admission and denial of documents which shall be concluded within a week from the date of this order.
- 5 List the Petitions in the first week of January 2024.

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

(SAROJ KUMARI GAUR)
Assistant Registrar