

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(s)(Civil) No(s).1099/2019

IN RE: ARTICLE 370 OF THE CONSTITUTION

(WITH IA No. 138432/2023 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 147639/2023 - CLARIFICATION/DIRECTION, IA No. 147636/2023 - CLARIFICATION/DIRECTION, IA No. 129177/2019 - EX-PARTE STAY, IA No. 139294/2023 - INTERLOCUTORY APPLICATION, IA No. 146764/2023 - INTERLOCUTORY APPLICATION, IA No. 164438/2019 - INTERVENTION APPLICATION, IA No. 10999/2020 - INTERVENTION APPLICATION, IA No. 9573/2020 - INTERVENTION APPLICATION, IA No. 144248/2023 - INTERVENTION APPLICATION, IA No. 144241/2023 - INTERVENTION APPLICATION, IA No. 174525/2019 - INTERVENTION APPLICATION, IA No. 142552/2023 - INTERVENTION APPLICATION, IA No. 142335/2023 - INTERVENTION/IMPLEADMENT, IA No. 136349/2019 - INTERVENTION/IMPLEADMENT, IA No. 154272/2022 - INTERVENTION/IMPLEADMENT, IA No. 189526/2019 - INTERVENTION/IMPLEADMENT, IA No. 129178/2019 - PERMISSION TO FILE LENGTHY LIST OF DATES, IA No. 166037/2019 - STAY APPLICATION, IA No. 146832/2023 - WITHDRAWAL OF CASE / APPLICATION)

WITH

W.P.(C) No. 871/2015 (PIL-W)

(WITH IA No. 38200/2019 - INTERVENTION/IMPLEADMENT, IA No. 34489/2019 - INTERVENTION/IMPLEADMENT, IA No. 1/2015 - PERMISSION TO FILE SYNOPSIS AND LIST OF DATES)

W.P.(C) No. 722/2014 (PIL-W)

(WITH IA No. 95744/2017 - INTERVENTION APPLICATION, IA No. 108743/2018 - INTERVENTION APPLICATION, IA No. 108652/2018 - INTERVENTION APPLICATION, IA No. 79897/2017 - INTERVENTION APPLICATION, IA No. 79570/2017 - INTERVENTION APPLICATION, IA No. 120574/2018 - INTERVENTION APPLICATION, IA No. 106447/2018 - INTERVENTION APPLICATION, IA No. 120250/2018 - INTERVENTION APPLICATION, IA No. 110782/2017 - INTERVENTION/IMPLEADMENT, IA No. 114320/2018 - INTERVENTION/IMPLEADMENT, IA No. 55540/2019 - INTERVENTION/IMPLEADMENT, IA No. 81485/2017 - INTERVENTION/IMPLEADMENT, IA No. 52137/2019 - INTERVENTION/IMPLEADMENT, IA No. 108303/2018 - INTERVENTION/IMPLEADMENT, IA No. 121757/2018 - INTERVENTION/IMPLEADMENT, IA No. 108287/2018 - INTERVENTION/IMPLEADMENT, IA No. 121124/2018 - INTERVENTION/IMPLEADMENT, IA No. 106824/2018 - INTERVENTION/IMPLEADMENT, IA No. 103006/2018 - INTERVENTION/IMPLEADMENT, IA No. 120075/2018 - INTERVENTION/IMPLEADMENT, IA No. 55541/2019 - PERMISSION TO APPEAR AND ARGUE IN PERSON)

SLP(C) No. 19618/2017 (XIV)
(WITH IA No. 182696/2018 - INTERVENTION APPLICATION)

W.P.(C) No. 1013/2019 (PIL-W)
(WITH IA No. 145853/2019 - CLARIFICATION/DIRECTION, IA No. 118588/2019 - EX-PARTE STAY, IA No. 142338/2019 - INTERVENTION APPLICATION, IA No. 164975/2019 - INTERVENTION APPLICATION, IA No. 164876/2019 - INTERVENTION APPLICATION, IA No. 155795/2019 - INTERVENTION APPLICATION, IA No. 154967/2019 - INTERVENTION APPLICATION, IA No. 143833/2019 - INTERVENTION APPLICATION, IA No. 180145/2019 - INTERVENTION APPLICATION, IA No. 169328/2019 - INTERVENTION/IMPLEADMENT, IA No. 136293/2019 - INTERVENTION/IMPLEADMENT, IA No. 160049/2019 - INTERVENTION/IMPLEADMENT, IA No. 142343/2019 - PERMISSION TO APPEAR AND ARGUE IN PERSON, IA No. 118589/2019 - PERMISSION TO APPEAR AND ARGUE IN PERSON)

W.P.(C) No. 1082/2019 (X)
(WITH IA No. 171000/2019 - INTERVENTION/IMPLEADMENT, IA No. 136299/2019 - INTERVENTION/IMPLEADMENT)

W.P.(C) No. 1068/2019 (PIL-W)
(WITH IA No. 136304/2019 - INTERVENTION/IMPLEADMENT, IA No. 125260/2019 - STAY APPLICATION)

W.P.(C) No. 1037/2019 (X)
(WITH IA No. 96178/2021 - EXEMPTION FROM FILING AFFIDAVIT, IA No. 95994/2021 - EXEMPTION FROM FILING AFFIDAVIT, IA No. 9596/2020 - INTERVENTION APPLICATION, IA No. 171722/2019 - INTERVENTION APPLICATION, IA No. 171690/2019 - INTERVENTION APPLICATION, IA No. 96173/2021 - INTERVENTION APPLICATION, IA No. 153133/2019 - INTERVENTION/IMPLEADMENT, IA No. 136356/2019 - INTERVENTION/IMPLEADMENT, IA No. 95993/2021 - INTERVENTION/IMPLEADMENT)

W.P.(C) No. 1062/2019 (PIL-W)
(WITH IA No. 124539/2019 - EX-PARTE STAY, IA No. 136347/2019 - INTERVENTION/IMPLEADMENT, IA No. 124540/2019 - PERMISSION TO FILE LENGTHY LIST OF DATES)

W.P.(C) No. 1070/2019 (PIL-W)
(WITH IA No. 171772/2019 - APPLICATION FOR PERMISSION, IA No. 83434/2020 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 14005/2022 - CLARIFICATION/DIRECTION, IA No. 34434/2022 - EARLY HEARING APPLICATION, IA No. 125529/2019 - GRANT OF INTERIM RELIEF, IA No. 153121/2019 - INTERVENTION/IMPLEADMENT, IA No. 136314/2019 - INTERVENTION/IMPLEADMENT, IA No. 84479/2022 - INTERVENTION/IMPLEADMENT, IA No. 171350/2019 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

W.P.(C) No. 1104/2019 (X)
(WITH IA No. 37063/2022 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 136313/2019 - INTERVENTION/IMPLEADMENT, IA No. 165583/2019 -

PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)**W.P.(C) No. 1165/2019 (PIL-W)****(WITH IA No. 116395/2020 - EARLY HEARING APPLICATION, IA No. 140590/2019 - EX-PARTE STAY, IA No. 116397/2020 - EXEMPTION FROM FILING AFFIDAVIT, IA No. 140592/2019 - PERMISSION TO FILE LENGTHY LIST OF DATES)****W.P.(C) No. 1210/2019 (PIL-W)****(WITH IA No. 125359/2020 - CLARIFICATION/DIRECTION, IA No. 107217/2021 - EARLY HEARING APPLICATION)****W.P.(C) No. 1222/2019 (X)****W.P.(C) No. 396/2017 (X)****(WITH IA No. 118468/2018 - INTERVENTION APPLICATION, IA No. 43725/2017 - PERMISSION TO FILE LENGTHY LIST OF DATES)****W.P.(C) No. 756/2017 (PIL-W)****W.P.(C) No. 398/2018 (X)****(WITH IA No. 71210/2018 - GRANT OF INTERIM RELIEF, IA No. 49481/2018 - PERMISSION TO FILE SYNOPSIS AND LIST OF DATES)****W.P.(C) No. 924/2018 (PIL-W)****(WITH IA No. 109719/2018 - PERMISSION TO FILE LENGTHY LIST OF DATES)****W.P.(C) No. 1092/2018 (X)****W.P.(C) No. 1162/2018 (PIL-W)****W.P.(C) No. 1048/2019 (PIL-W)****(WITH IA No. 188819/2022 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 112494/2020 - EARLY HEARING APPLICATION, IA No. 136357/2019 - INTERVENTION/IMPLEADMENT, IA No. 122866/2019 - PERMISSION TO APPEAR AND ARGUE IN PERSON, IA No. 188822/2022 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, IA No. 188813/2022 - PERMISSION TO PLACE ADDITIONAL FACTS AND GROUNDS)****W.P.(C) No. 1268/2019 (PIL-W)****W.P.(C) No. 1368/2019 (PIL-W)****Date : 23-08-2023 These petitions were called on for hearing today.****CORAM :**

**HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
HON'BLE MR. JUSTICE SANJIV KHANNA
HON'BLE MR. JUSTICE B.R. GAVAI
HON'BLE MR. JUSTICE SURYA KANT**

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

- 1 Arguments heard in part.
- 2 List the Petitions for further hearing tomorrow (24 August 2023) as part-heard matter.

IA No 160049 of 2019 in Writ Petition (Civil) No 1013 of 2019

- 3 The applicant, urging his submissions through Mr Manish Tewari, counsel, has urged that apart from the provisions contained in Part XXI of the Constitution pertaining to Jammu and Kashmir, there are special provisions in the Constitution governing the North East in the same Part. It has been submitted that the interpretation which would be placed by this Court on Article 370 would possibly impact upon the other provisions.
- 4 The Solicitor General has submitted, on the specific instructions of the Union Government, that the Union Government has absolutely no intent to affect any of the special provisions in Part XXI applicable to the North East or to any other part of India.
- 5 The reference to the Constitution Bench is confined to the provisions of Article 370 of the Constitution. There is no commonality of interest between the issues which are sought to be addressed by the impleador and the issues which have been raised in the reference to the Constitution. In any event, the statement which has been made on behalf of the Union Government would allay any apprehension in that regard.

6 We, therefore, close the IA, which stands disposed of.

(SANJAY KUMAR-I)
DEPUTY REGISTRAR

(SAROJ KUMARI GAUR)
ASSISTANT REGISTRAR