

IN THE SUPREME COURT OF INDIA  
CIVIL ORIGINAL JURISDICTION

WRIT PETITION(S)(CIVIL) NO(S). 240/2017

AMAR SINGH

PETITIONER(S)

VERSUS

THE UNION OF INDIA

RESPONDENT(S)

O R D E R

1. The petitioner has filed this writ petition seeking a declaration that provisions of the Tenth Schedule to the Indian Constitution, especially paragraph 2, do not apply to an elected member to a House who has been expelled by his political party. Alternatively, the petitioner who was expelled by the political party to which he belongs, namely Samajwadi Party, seeks to declare that his conduct does not fall within the acts that constitute a disqualification within paragraph 2(1)(a) and 2(1)(b) of the Tenth Schedule to the Indian Constitution.

2. It is stated by learned counsel for the petitioner that during the pendency of this writ proceeding, the petitioner has unfortunately passed away on 01.08.2020. Since, the reliefs sought were personal to the petitioner in the sense that he was questioning his own disqualification on having been expelled by the political party which elected him, learned counsel for the petitioner seems to be right that the instant writ petition has become infructuous.

3. In view of the above, the present writ petition is disposed of as having become infructuous.

4. Pending application(s), if any, shall also stand disposed of.

.....J.  
[SURYA KANT]

.....J.  
[DIPANKAR DATTA]

.....J.  
[UJJAL BHUYAN]

New Delhi;  
August 08, 2024.

ITEM NO.103

COURT NO.4

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

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([ TO GO BEFORE THREE HON'BLE JUDGES ]

(IA No. 1/2017 - APPLICATION FOR DIRECTION, IA No. 2/2017 - EXEMPTION FROM FILING O.T., IA No. 4/2017 - PERMISSION TO FILE ANNEXURES & IA No. 3/2017 - PERMISSION TO FILE SYNOPSIS AND LIST OF DATES)

Date : 08-08-2024 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SURYA KANT  
HON'BLE MR. JUSTICE DIPANKAR DATTA  
HON'BLE MR. JUSTICE UJJAL BHUYAN

For Petitioner(s) Mr. P. S. Sudheer, AOR  
Mr. Rishi Maheshwari, Adv.  
Ms. Anne Mathew, Adv.  
Mr. Bharat Sood, Adv.  
Ms. Miranda Solaman, Adv.  
Ms. Nivedita Sudheer, Adv.

For Respondent(s) Mr. Tushar Mehta, SG (NP)  
Mr. Kanu Agrawal, Adv.  
Ms. Vanshaja Shukla, Adv.  
Mr. Mayank Pandey, Adv.  
Mr. Udai Khanna, Adv.  
Mr. T.S.Sabarish, Adv.  
Mr. Arvind Kumar Sharma, AOR

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

1. The present writ petition is disposed of as having become infructuous in terms of the signed order, which is placed on the file.

2. Pending application(s), if any, shall also stand disposed of.

(NIRMALA NEGI)  
COURT MASTER (SH)

(PREETHI T.C.)  
ASSISTANT REGISTRAR