

ITEM NO.7

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
R E C O R D O F P R O C E E D I N G S

Writ Petition(s) (Civil) No(s).279/2017

KUDRAT SANDHU

Petitioner(s)

VERSUS

UNION OF INDIA & ANR.

Respondent(s)

([ONLY I.A.NO. 38839/2018 IN W.P. (C)NO.279/2017 ONLY TO BE LISTED
ON 20.03.2018])

Date : 20-03-2018 This petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE A.M. KHANWILKAR
HON'BLE DR. JUSTICE D.Y. CHANDRACHUD

For Petitioner(s) Mr.Sidharth Luthra, Sr.Adv.
Ms.Maneesha Dhir, Adv.
Mr.Karan Batura, Adv.
Ms.Anushree Prashit Kapadia, Adv.

Mr.Arun Monga, Adv.
Ms.Divya Sharma, Adv.
Ms. Mayuri Raghuvanshi, AOR
Mr.Vyom Raghuvanshi, Adv.
Ms.Sanya Negi, Adv.

Mr.Ajay Bansal, Adv.
Mr.Gaurav Yadava, Adv.
Ms.Veena Bansal, Adv.

For Respondent(s) Mr.K.K.Venugopal, AG
Ms.Rukmani Bobde, Adv.
Mr.H.V.Sharma, Adv.
Mr.S.S.Shamsheri, Adv.
Ms.Shraddha Deshmukh, Adv.
Mr.Rohit Bhat, Adv.
Mr.Harish V.Shekhar, Adv.
Mr. Mukesh Kumar Maroria, AOR

Mr. Zoheb Hossain, AOR

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

I.A.No.38839 of 2018 in W.P.(C)No.279/2017

This is an application for clarification of the order dated 09.02.2018.

Mr.K.K.Venugopal, learned Attorney General for India has highlighted various aspects.

Having heard Mr.K.K.Venugopal, learned Attorney General for India and Mr.Siddharth Luthra, learned senior counsel, Mr.Ajay Bansal and Mr.Arung Monga, learned counsel appearing on behalf of the petitioner/applicant(s), we think it appropriate to clarify the previous order on the following terms:

(i) The appointment of the Chairpersons of the Tribunals shall be made by the Central Government in consultation with the Chief Justice of India;

(ii) The Search-cum-Selection Committee for the appointment of Judicial Members of the Central Administrative Tribunal shall also proceed with the selection of Administrative Members;

(iii) The tenure of the Chairperson and the Judicial/Administrative/Expert/Technical Members of all the Tribunals shall be for a period of five years or the maximum age that was fixed/determined under the old Acts and Rules;

(iv) The Committee that has been constituted for selection of the Members of the Central Government Industrial Tribunal shall proceed as per our previous order as it has already proceeded with its work.

It is submitted by Mr.Siddharth Luthra, learned senior

counsel, Mr.Ajay Bansal and Mr.Arun Monga, learned counsel appearing on behalf of the petitioner/applicant(s) that the Members who are continuing in National Consumer Disputes Redressal Commission (NCDRC), and whose terms have been allowed to continue till 15th March, 2018, including the Chairperson, may continue till 31.05.2018. The prayer is accepted. We are sure the appointments shall take place, in the meantime.

It is hereby further reiterated that the selection process that has commenced shall continue and no litigation in that regard shall be entertained. Any other grievance, in this regard, shall be dealt with at the time of final hearing of the main case.

I.A. stands disposed of accordingly.

W.P. (C)No.279/2017

Counter affidavit be filed within four weeks hence. Rejoinder affidavit, if any, be filed within three weeks therefrom.

Let the writ petition be listed in the second week of July, 2018 for final disposal.

(Chetan Kumar)
Court Master

(H.S.Parasher)
Assistant Registrar