
(2014) 09 SC CK 0156

In the Supreme Court Of India

Case No : I.A. Nos. 36, 71, 72, 73 and 74 in C.A. No. 10660/2010

Center for PIL

APPELLANT

Vs

Respondent: Union of India (UOI)

RESPONDENT

Date of Decision : 22-09-2014

Acts Referred:

Citation : 2015 (13) SCC 425 = 2014 (11) SCALE 4

Hon'ble Judges : Sharad Arvind Bobde, J;H.L. Dattu, J;Abhay Manohar Sapre, J

Bench : Full Bench

Final Decision : Allowed

Judgement

I.A. No. 76 of 2014:

1. By this application, a request is made by the applicant(s)/Appellant(s) to recall our earlier order dated 15.09.2014 passed in Civil Appeal No. 10660 of 2010. By our order dated 15.09.2014, this Court, after hearing Shri Ram Jethmalani, Officer of the Court, Shri Vikas Singh, learned senior counsel and Shri Prashant Bhushan, learned Counsel, had requested Shri Prashant Bhushan, learned Counsel for the Appellant(s)/applicant(s) to disclose the source of information, which has formed the basis of the application and the allegations made in the affidavit filed before this Court. We had also added that the information that will be disclosed by Shri Bhushan be kept in a scaled cover and to be opened only by this Court.

2. In this application filed before us today, at para 4, the applicant(s)/Appellant(s) have stated as under:

"Pursuant to the said order the governing body of the Centre for Public Interest Litigation (CPIL) met and decided that Appellants cannot reveal the name of source, inter alia, because the information was given in confidence to their counsel on the understanding that the identity of the source would not be revealed. The Appellants have on 18.09.2014 filed an affidavit explaining their position. The contents of the same are not being repeated herein for the sake of

brevity. Appellants wish to rely upon the contents of the same when this application is taken up for hearing."

3. We have heard Shri Dushyant Dave, learned senior counsel appearing for the Appellants/applicants and Shri Vikas Singh, learned senior counsel appearing for the Director, C.B.I. In our opinion, any order that would be made by us on the application filed by the applicant(s)/Appellant(s), would have its own ramifications, on the cases that are pending before this Court and the cases that may be filed in future. To take a particular view in the matter, we need to have the assistance of the learned Counsel, whom we have appointed/nominated as the Special Public Prosecutor to conduct the proceedings before the Trial Court.

4. In view of the above, we now request Shri Anand Grover, learned senior counsel and Special Public Prosecutor to look into (i) the Interlocutory Applications filed by the applicants, (ii) reply(s) filed to the applications by Respondents, (iii) additional affidavit filed on 5th September, 2014 and (iv) the xerox copies of the documents that were before this Court, after serving the same on Shri K.K. Venugopal, learned senior counsel appearing for the C.B.I. and the Enforcement Directorate.

5. Shri Venugopal, learned senior counsel will supply a copy of the register maintained at the residence of the C.B.I. Director to Shri Anand Grover, learned senior counsel and Special Public Prosecutor.

6. We also permit Shri Anand Grover, learned senior counsel and Special Public Prosecutor to look into other application(s), if he so desires, after obtaining appropriate oral permission from this Court. Call this matter on 10th October, 2014. The other application(s) filed by all the parties shall be considered by us on 10.10.2014.