
(2014) 05 SC CK 0026

In the Supreme Court Of India

Case No : W.P. (Crl.) No. 120 of 2012 and W.P. (C) No. 463 of 2012, W.P. (C) No. 515 of 2012, W.P. (C) No. 283 of 2013

Manohar Lal Sharma

APPELLANT

Vs

The Principal Secretary

RESPONDENT

Date of Decision : 08-05-2014

Acts Referred:

Citation : 2014 (8) SCALE 571

Hon'ble Judges : R.M. Lodha, C.J.;Madan B. Lokur, J;Kurian Joseph, J

Bench : Full Bench

Final Decision : Allowed

Judgement

1. At the outset, a Note on Administrative Issues signed by the Director, Central Bureau of Investigation (CBI) was placed before us. It is stated therein that due to aspersion cast on personal and professional integrity of Shri O.P. Galhotra, Joint Director, he has requested for recusal from all matters directly and indirectly connected with the Preliminary Enquiries (PEs) relating to coal block allocations and the consequent Regular Cases (RCs). It is stated that in the interest of avoiding needless controversy, the same has been accepted. Since Shri O.P. Galhotra has sought recusal himself from the coal block cases which has been accepted by the Director, CBI, nothing further needs to be said by us, except observing that recusal of Shri O.P. Galhotra shall not be treated as adverse comment or observation on his personal and professional integrity and competency in any manner whatsoever.

2. In paragraph 8 of the Note, it is stated that CBI is ready to submit files relating to all the PEs completed so far to the scrutiny of the Central Vigilance Commission (CVS) over and above the 25 cases which were submitted to CVC on the directions of this Court.

3. Having regard to the readiness expressed by the CBI, we direct that files relating to all the PEs completed so far shall be submitted to the scrutiny of the

two Vigilance Commissioners. The Vigilance Commissioners shall submit their report to this Court within six weeks of receipt of the files from CBI relating to PEs.

4. List the matters on July 8, 2014 at 2 P.M.

5. CBI will submit further report of the status obtaining till June 30, 2014 latest by July 7, 2014. The Enforcement Directorate shall also file report obtaining till June 30, 2014 latest by July 7, 2014.