

ITEM NO.16

COURT NO.2

SECTION X

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

I.A. NO.11 OF 2017
WITH
I.A. NO.53528 OF 2017
WITH
I.A. NO.27753/2018 IN I.A. NO.11/2017
AND
I.A. NO.28769/2018 IN I.A. NO.11/2017
AND
I.A. NO.100359/2018
IN
CONTEMPT PETITION(C) NOS.425-426/2015
IN
WRIT PETITION (C) NOS. 523 & 524/2002

JUSTICE V.S. DAVE, PRESIDENT,
THE ASSOCIATION OF RETD. JUDGES OF
SUPREME COURT AND HIGH COURTS

Petitioner(s)

VERSUS

KUSUMJIT SIDHU & ORS.

Date : 24-07-2018 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE RANJAN GOGOI
HON'BLE MRS. JUSTICE R. BANUMATHI
HON'BLE MR. JUSTICE NAVIN SINHA

For Parties

Mr. P.H. Parekh, Sr. Adv. (AC)
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Mr. Akash Jindal, Adv.
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Mr. M. P. Vinod, AOR

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Calcutta High Court	Mr. Jaideep Gupta, Sr. Adv. Mr. Kunal Chatterji, AOR Ms. Maitrayee Banerjee, Adv. Mr. Saurav Gupta, Adv.
	Mr. Varinder Kumar Sharma, AOR Mr. Mohd. Shahid Hussain, Adv.
	Ms. Radhika Gautam, AOR
Uttarakhand High Court	Mr. Mukesh K. Giri, AOR
Delhi High Court	Mr. Annam D. N. Rao, AOR Mr. Annam Venkatesh, Adv. Mr. Sudipto Sircar, Adv. Mr. Rahul Mishra, Adv.
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State of J&K	Mr. M. Shoeb Alam, AOR Ms. Fauzia Shakil, Adv. Mr. Ujjwal Singh, Adv. Mr. Mojahid Karim Khan, Adv.
Jharkhand High Court	Mr. Krishnanand Pandey, AOR
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	Mr. Ajay Marwah, AOR
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M.P. High Court	Mr. Ajrun Garg, AOR Mr. Manish Yadav, Adv. Mr. Aakash Nandolia, Adv.
State of H.P.	Mr. Vikas Mahajan, AAG Mr. Vinod Sharma, AOR

A&N Administration	Ms. G. Indira, AOR
State of Chhattisgarh	Mr. A.P. Mayee, AOR Mr. Chirag Jain, Adv.
State of Manipur	Mr. Leishangthem Roshmani Kh., AOR Ms. Maibam Babina, Adv.
State of Jharkhand	Mr. Tapesk Kumar Singh, AOR. Mr. Mohd. Waquas, Adv. Mr. Aditya Pratap Singh, Adv.
State of Orissa	Mr. Sibho Shankar Mishra, AOR Ms. Shriya Maini, Adv.
State of W.B.	Mr. Suhaan Mukerji, Adv. Mr. Harsh Hiroo Gursahani, Adv. Mr. Amit Verma, Adv.
State of Rajasthan	Mr. S.S. Shamsbery, AAG Mr. Amit Sharma, Adv. Mr. Sandeep Singh, Adv. Mr. Ankit Raj, Adv. Ms. Indira Bhakar, Adv. Ms. Ruchi Kohli, AOR
State of Nagaland	Ms. K. Enatoli Sema, AOR Mr. Amit Kumar Singh, Adv.
Govt. of Puducherry	Mr. V.G. Pragasam, AOR. Mr. S. Prabu Ramasubramanian, Adv. Mr. S. Manuraj, Adv.
State of Telangana	Mr. S. Udaya Kumar Sagar, AOR. Mr. Mrityunjai Singh, Adv.
State of Kerala	Mr. G. Prakash, AOR. Mr. Jishnu M.L., Adv. Ms. Priyanka Prakash, Adv. Ms. Beena Prakash, Adv.

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

**Pursuant to our order dated 18.04.2018,
States of Himachal Pradesh, Jammu & Kashmir,
Jharkhand and Madhya Pradesh and Union Territories
of Puducherry has filed their responses. The State**

of Kerala has sought for some time. The other States and Union Territories have not responded.

We have perused the affidavits filed by the respective States and the Union Territory of Pudducherry and at this stage we are of the tentative view that practice of reimbursement of medical expenses incurred by the retired Chief Justices/retired Judges of the High Courts in vogue in the State of Jammu & Kashmir and to a large extent in the State of Jharkhand adequately takes care of the situation. The States and Union Territories wherein the practice is not at par with those of Jammu & Kashmir and Jharkhand may be well advised to adopt the practice prevalent in Jammu & Kashmir and Jharkhand.

The States and Union Territories as already indicted in our previous order dated 18.04.2018 may also examine the practice of medical reimbursement that is followed in the Supreme Court, details of which can be accessed through the Supreme Court website.

As several States have not yet responded, we direct the following States and Union Territories acting through their Chief Secretaries to file their responses within a period of eight weeks from today, failing which the Court may pass orders for the personal appearance of the Chief Secretaries.

The States and Union Territories from whom responses are expected within eight weeks are indicated below :-

1. State of Andhra Pradesh
2. State of Arunachal Pradesh
3. State of Assam

4. State of Bihar
5. State of Chhattisgarh
6. State of Goa
7. State of Gujarat
8. State of Haryana
9. State of Karnataka
10. State of Kerala
11. State of Maharashtra
12. State of Manipur
13. State of Meghalaya,
14. State of Mizoram,
15. State of Nagaland,
16. State of Odisha,
17. State of Punjab,
18. State of Rajasthan,
19. State of Sikkim,
20. State of Tamil Nadu,
21. State of Telangana
22. State of Tripura,
23. State of Uttrakhand
24. State of Uttar Pradesh
25. State of West Bengal,
26. Union Territory of Andaman & Nicobar,
27. Union Territory of Chandigarh,
28. Union Territory of Dadra & Nagar Haveli
29. Union Territory of Daman & Diu,
30. Union Territory of NCT of Delhi
31. Union Territory of Lakshadweep

List the matters on 25.09.2018 at 2.00 p.m.

(NEETU KHAJURIA)
COURT MASTER

(ASHA SONI)
BRANCH OFFICER