

ITEM NO.14

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

W R I T P E T I T I O N (C I V I L) N O (S) . 1 0 4 / 2 0 1 5

ANOOP BARANWAL

PETITIONER(S)

VERSUS

UNION OF INDIA

RESPONDENT(S)

(FOR [AMENDMENT OF W.P. , RAISING ADDITIONAL FACTS, ADDITIONAL
GROUNDS, ADDITIONAL PRAYERS] ON IA 2/2015)

Date : 23-10-2018 This matter was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE SANJAY KISHAN KAUL

For Petitioner(s)

Mr. Prashant Bhushan, AOR
Mr. Devesh Kumar Agnihotri, Adv.

For Respondent(s)

Mr. K.K. Venugopal, AG
Mr. Aman Lekhi, ASG
Ms. Shraddha Deshmukh, Adv.
Ms. Madhavi Divan, Adv.
Ms. Niranjana Singh, Adv.
Mr. Arvind Kr. Sharma, AOR

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

I.A. No.2 for amendment of writ petition; raising additional facts, grounds and prayer is allowed.

The matter relates to what the petitioner perceives to be a requirement of having a full-proof and better system of appointment of members of the Election Commission.

Having heard the learned counsel for the petitioner and the learned Attorney General for India we are of the view that the matter may require a close look and interpretation of the provisions of Article 324 of the Constitution of India. The issue has not been debated and answered by this Court earlier. Article 145 (3) of the Constitution of India would, therefore, require the Court to refer the matter to a Constitution Bench. We, accordingly, refer the question arising in the present proceedings to a Constitution Bench for an authoritative pronouncement.

Post the matter before the Hon'ble the Chief Justice of India on the Administrative Side for fixing a date of hearing.

[VINOD LAKHINA]
AR-cum-PS

[ASHA SONI]
ASSISTANT REGISTRAR