

I N D E X

R E C O R D OF PROCEEDINGS

S. NO. DATE OF RECORD OF PROCEEDINGS  
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PROFORMA FOR FIRST LISTING

A

WRIT PETITION (CIVIL) No. OF 2016

SECTION: PL


The case pertains to (Please tick/ check the correct box):-

<input type="checkbox"/>	Central Act: (Title)	N/A
<input type="checkbox"/>	Section:	N/A
<input type="checkbox"/>	Central Rule: (Title)	N/A
<input type="checkbox"/>	Rule No(s):	N/A
<input type="checkbox"/>	State Act: (Title)	N/A
<input type="checkbox"/>	Rule No(s):	
<input type="checkbox"/>	Impugned Interim Order: (Date)	N/A
<input type="checkbox"/>	High Court: (Name)	N/A
<input type="checkbox"/>	Names of Judges:	N/A
<input type="checkbox"/>	Tribunal/ Authority: (Name)	N/A

1.	Nature of matter:	[ ] Criminal [ ] Civil
2.(a)	Petitioner/ appellant No. 1:	VIVEK NARAYAN SHARMA
(b)	e-mail ID:	N/A
(c)	Mobile phone number:	N/A
3.(a)	Respondent No.1:	UNION OF INDIA
(b)	e-mail ID:	N/A
(c)	Mobile phone number:	N/A
4.(a)	Main category classification:	<del>N/A</del> 08
(b)	Sub classification:	N/A 08/2
5.	Not to be listed before:	N/A
6.	Similar/Pending matter:	N/A
7.	Criminal Matters:	No
(a)	Whether accused/convict has	N/A

A-1

	surrendered:				
(b)	FIR No.		Date:	N/A	
(c)	Police Station:	N/A			
(d)	Sentence Awarded:		N/A		
(e)	Sentence Undergone:	N/A			
8:	Land Acquisition Matters:			N/A	
(a)	Date of Section 4 notification:		N/A		
(b)	Date of Section 6 notification:	N/A			
(c)	Date of Section 17 notification:	N/A			
9.	Tax Matters: State the tax effect:		N/A		
10.	Special Category (first petitioner/appellant only):				
	(i) <input checked="" type="checkbox"/> Senior citizen > 65 years	(ii) <input checked="" type="checkbox"/> SC/ST			
	(iii) <input checked="" type="checkbox"/> Woman/child	(iv) <input checked="" type="checkbox"/> Disabled			
	(v) <input checked="" type="checkbox"/> Legal Aid case	(vi) <input checked="" type="checkbox"/> In custody			
11.	Vehicle Number (in case of Motor Accident Claim matters):		N/A		
12.	Decided cases with citation:		N/A		

  
[VIVEK NARAYAN SHARMA]  
Petitioner in person  
(Narayan@Aplishnarayan.Com)

Date -- 09.11.2016

B

SYNOPSIS

The instant petition is being filed against Notification dated 8.11.2016 issued by Respondent stopping legal tender of bank notes of denominations of existing series of the value of five hundred rupees (Rs.500/-) and one thousand rupees (Rs.1000/-) (hereinafter referred to as 'specified bank notes') with effect from 9.11.2016 in terms of the scheme (hereinafter referred to as "the said Scheme") given in the said Notification. It may be noted that phasing out of specified bank notes was announced by the Hon'ble Prime Minister between 8.00pm - 9.20pm on 8.11.2016 and thereafter it appears that Notification dated 8.11.2016 was issued around 11.00pm by Department of Economic Affairs, Ministry of Finance, Government of India (i.e. Respondent). Hon'ble Prime Minister also announced that new bank notes of denominations of Rs.500/- and Rs.2000/- are going to replace the existing specified bank notes of Rs.500/- and Rs.1000/-.

It is most respectfully submitted that Petitioner is not  
against the said Scheme of phasing out of specified bank  
notes, but against the manner of its implementation as

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provided in the said Notification, which has created panic and emergency like situation all around India be it metropolitans, city, towns & villages etc. Petitioner has reasonable anticipation that 125 Billions of citizens are going to be clueless about running their day to day life till the time the transition from specified bank notes to new bank notes takes place. The whole chain of transaction will be affected, making people worry more about procuring money, leaving them standing in line, in banks, to obtain legitimate currency notes and affect their work & trade.

The constitutional 'Right to Life' & 'Right to Trade' of all the citizens of India is being infringed by Respondent due to unreasonable, unmethodical and dictatorial manner of implementing the said Scheme. Respondent has failed to follow constitutional rule of law, adherence to principles of natural justice and provide sufficient time to citizens of India to prepare for such phasing out of specified bank notes. As a result the lives, livelihood, existence, business, trade and education etc. of billions of citizens shall get affected, in innumerable, uncalculated and uncountable ways. The

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implementation of phasing out of specified bank notes,

overnight, fails the test of reasonableness and care for its

citizens by the Respondent Government.

It is most respectfully submitted what all it may adversely

impact cannot be judged or calculated at this stage, but

citizens of India have rights here, which are ingrained

constitutional and democratic rights and the same cannot, in

no manner, be taken away by such dictatorial ways of

implementing a Scheme, which is going to create greatest

chaos in the history of India. There should have been a well-

planned method and sufficient time frame for completing

the transition, so as not to create unprecedented chaos,

trouble & panic in the lives of more than 125 Billions of

Indian.

In the next few weeks or may be months, almost all citizens

of India are going to face grave harassment in almost every

small day to day affair and elementary services like hospitals

payments, schools fees payments, toll fees payments, out-

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station hotel payments, labor payments, local transport  
payments, buying of essential-items-like-grocery, clothes,  
pollutions masks, air-cleaner, winter-clothes, kids-care-items,  
old-age care items etc.

A media report published in the Indian Express dated 9.11.2016 with heading, "Are banks equipped to replace 2300 Crore pieces of Rs.500 and Rs.1000 notes?"; provides following insight into the issue: -

"According to Reserve Bank of India's data, the total outstanding currency in circulation in the Indian economy as on October 28 stood at Rs 17.77 lakh crore. We don't know how much of this comprises Rs 500 and Rs 1,000 notes.

But an indicator of what it could be can be seen from the RBI's latest Annual Report. This data shows that out of the total Rs 16.42 lakh crore value of bank notes in circulation as on March 31, 2016, as much as Rs 14.18 lakh crore, i.e. over 86 per cent, consisted of Rs 500 and Rs 1,000 notes. In terms of volumes, out of the



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total 9026.6 crore banknote pieces, 2,203 crore or 24 per cent-plus were of Rs 500 and Rs 1,000 denomination.

Simply put, the de-monetisation of Rs 500 and Rs 1,000 notes, which is what Prime Minister Narendra Modi has announced will happen from Tuesday night, would mean more than Rs 15 lakh crore worth of high-value legal tender being withdrawn from circulation. It is likely that the bulk of this would simply be deposited by people in banks rather than be exchanged for lower denomination notes. Outright replacement of 2,300 crore banknote pieces will be an obvious logistical nightmare."

The said media report further projects that even for aam aadmi, the said scheme would translate into large queues before banks and post offices and even ordinary purchases of vegetables and other essentials in markets are going to be impacted badly.

G

It may be noted that Respondent has declared that the specified bank notes of aggregate value of Rs.4000/- or below may be exchanged for any denominations of bank notes having legal character, with a requisition slip in the format specified by the Reserve Bank and proof of Identity. Withdrawal limit of Rs.10,000/- per day subject to an overall limit of Rs. 20000/- a week from the date of commencement of this notification until the end of business hours on 24.11.2016, after which these limits shall be revised. Window for emergency use of specified bank notes for specified services till 11.11.2016 is totally meaningless.

There are thousands of items, in the day to day affairs, which may value much more than Rs.20,000 and which may be totally necessary and can also be life-saving drugs, operations, marriage etc. Even the cremation expenses go for more than Rs.20,000/- at most of the places. Going by the Respondent's Scheme, one cannot even cremate, and for that he/she will have to first join long queues to obtain legitimate currency notes from banks. Prime Minister's announcement has come to thwart away the black money, fake currency

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notes and terrorism; but at the same time, this economic crisis created at the cost of lives of 1.25 billion of citizens of India cannot be termed less than 'Economic Terrorism' in the lives of Aam Aadmi. All this, not only crushes the economy but also lives of those citizens, who may require moneys more than the allowed limits and many of them may not have credit cards or debit cards etc. and Respondent has very conveniently forgotten that even such people have right to life and do trade.

• as very small limits were provided

Apparently, Respondent has not printed sufficient money to distribute/circulate to more than 1.25 Billion citizens of India. The hardest ever question, that every citizen is facing today and the government has failed to respond, prepare for and/or address, is, "How would 1.25 billion citizens of India survive with a meager limit provided in the ambit of said scheme, that too in current scenario, when a small pollution mask come for more than Rs.2000/- and Inflation (Mehngai) is at its all-time peak?"

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It is submitted that the said scheme is absurd with regard to the ways of its implementation and therefore petitioner is seeking quashing of the instant notification.

LIST OF DATES

08.11.2016

Notification dated 8.11.2016 has been issued around 11.00pm by Department of Economic Affairs, Ministry of Finance, Government of India. Notification dated 8.11.2016 issued by Respondent has stopped legal tender of bank notes of denominations of existing series of the value of five hundred rupees (Rs.500/-) and one thousand rupees (Rs.1000/-) with effect from 9.11.2016 in terms of the scheme, given in the said Notification. Hon'ble Prime Minister also announced that new bank notes of

J

denominations of Rs.500/- and Rs.2000/- are going to replace the existing specified bank notes of Rs.500/- and Rs.1000/-.

09.11.2016

Indian Express published a media report dated 9.11.2016. As per the said report, "the total outstanding currency in circulation in the Indian economy as on October 28 stood at Rs. 17.77 lakh crore. Reserve Bank of India does not know how much of this comprises Rs 500 and Rs 1,000 notes. This data shows that out of the total Rs 16.42 lakh crore value of bank notes in circulation as on March 31, 2016, as much as Rs 14.18 lakh crore, i.e. over 86 per cent, consisted of Rs 500 and Rs 1,000 notes.

R

Simply put, the de-monetisation of Rs 500 and Rs 1,000 notes, which is what Prime Minister Narendra Modi has announced will happen from Tuesday night, would mean more than Rs. 15 Lakh Crore worth of high-value legal tender being withdrawn from circulation. It is likely that the bulk of this would simply be deposited by people in banks rather than be exchanged for lower denomination notes: Outright replacement of 2,300 Crore banknote pieces will be an obvious logistical nightmare."

09.11.2016

Hence, this instant writ petition.

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IN THE SUPREME COURT OF INDIA  
(ORIGINAL WRIT JURISDICTION)  
WRIT PETITION (CIVIL) NO.        OF 2016

IN THE MATTER OF:

VIVEK NARAYAN SHARMA  
ADVOCATE ON RECORD, SUPREME COURT  
C-75, F.F., PANCHSHEEL ENCLAVE,  
NEW DELHI - 110017

.....PETITIONER

Vs.

UNION OF INDIA  
Through its Secretary,  
Ministry of Finance,  
Department of Economic Affairs,  
New Delhi - 110001

.....RESPONDENT

WRIT PETITION UNDER ARTICLE 32 OF THE  
CONSTITUTION OF INDIA FOR SEEKING QUASHING  
OF THE NOTIFICATION DATED 08.11.2016        BY  
THE MINISTRY OF FINANCE, DEPARTMENT OF  
ECONOMIC AFFAIRS, UNTIL PROPER AND  
REASONABLE TIME FRAME IS PROVIDED FOR  
PHASING OUT THE SPECIFIED BANK NOTES AND  
EXCHANGE OF THE SAME INTO NEW AND/OR  
LEGITIMATE CURRENCY NOTES.

2

To,  
The Hon'ble Chief Justice and his companion  
Justices of the Hon'ble Supreme Court of India

Most Respectfully Showeth:

1. Petitioner is filing the present petition under Article 32 and seeking to invoke the power of this Hon'ble Court under Article 142 of the Constitution of India seeking quashing of the notification dated 08.11.2016 by the Ministry of Finance, Department of Economic Affairs, until proper and reasonable time frame is provided for phasing out the specified bank notes and exchange of the same into new and/or legitimate currency notes. As per the Notification Reserve Bank of India has recommended that bank notes of denominations of the existing series of the value of Rs. 500/- and Rs. 1000/- shall be ceased to be of legal tender.

Being a concerned citizen of Indian and for public cause and welfare, Petitioner had earlier filed public



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interest litigation before this Hon'ble Court in the wake of Nirbhaya Gang rape case. The requisite details of Petitioner are as under: -

Full name	Vivek Narayan Sharma
Complete postal address	C-75, F.F., Panchsheel Enclave, New Delhi - 110017
E-mail address	<u>viveknarayansharma@gmail.com</u>
Phone number	011 46698822
Proofs regarding :	
i. Personal identification	PAN Card
ii. Occupation	Advocate
iii. Annual income	Rs. 9Lacs
PAN number	AOLPS3505H
National Unique Identity Card number	750137724516

The proofs regarding Petitioner's identification, occupation and annual income.

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- 1A. That Petitioner has no personal interest, whatsoever, in filing the instant petition before this Hon'ble Court.
  
- 1B. That there is no civil, criminal or revenue litigation, involving the Petitioner, which has or could have a legal nexus with the issue(s) involved in the instant Public Interest Litigation.
  
- 1C. Petitioner has also not filed any other or similar petition before any court of law in India concerning the present issues & reliefs. Petitioner is preferring the present Writ Petition in the interest of general public and to bring repute to Nation and have no personal interest in the litigation and the Petitioner in no way are guided by self-gain or for gain of any other person/institution/ body etc. and that there is no motive other than public interest in filing the writ petition.

2. Petitioner is believer in the Legal System and Rule of Law in the country and is deeply disturbed analyzing the implications on the lives of billions of citizens as an outcome of sudden and immediate phasing out of specified bank notes as per Notification dated 8.11.2016 issued Respondent.
3. The short facts and apprehensions giving rise to the present petition are as follows: -
  - a. Notification dated 8.11.2016 has been issued around 11.00pm by Department of Economic Affairs, Ministry of Finance, Government of India. Notification dated 8.11.2016 issued by Respondent has stopped legal tender of bank notes of denominations of existing series of the value of five hundred rupees (Rs.500/-) and one thousand rupees (Rs.1000/-) w.e.f. 9.11.2016, in terms of the scheme, given in the said Notification. Hon'ble Prime Minister on 8.11.2016 at around 8P.M. announced that new bank notes of denominations of Rs.500/- and Rs.2000/- are going to replace the

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existing specified bank notes of Rs.500/- and Rs.1000/-. True Copy of the Gazette Notification dated 8.11.2016 issued by by Department of Economic Affairs, Ministry of Finance, Government of India is annexed as ANNEXURE P-1 (Page No. 21 to 24)

b. That the Indian Express published a media report dated 9.11.2016. As per the said report, the total outstanding currency in circulation in the Indian economy as on 28.10.2016 stood at Rs. 17.77 Lakh Crore. In the Report it was further stated that Reserve Bank of India does not know how much of Rs. 17.77 Lakh Crore comprises Rs 500 and Rs 1,000 notes.

Further as per the Report, the de-monetisation of Rs 500 and Rs 1,000 notes, which is what Prime Minister Narendra Modi has announced will happen from Tuesday night, would mean more than Rs. 15 Lakh Crore worth of high-value legal tender being withdrawn from circulation. It is likely that

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the bulk of this would simply be deposited by people in banks rather than be exchanged for lower denomination notes: Outright replacement of 2,300 Crore banknote pieces will be an obvious logistical nightmare. True Copy of the Indian Express Report dated 09.11.2016 is annexed as ANNEXURE P-2 (Page No. <sup>95</sup> to <sup>58</sup>).

c. That as per the media report published on 9.11.2016 in Times of India, Times Nation, Noted of worth Rs. 13.6 Lakh Crores will be needed to be withdrawn. Further, the report shows that out of the notes in circulation since March 2016, 38.6% of the value of notes are of Rs. 1000/- & 47.8% of notes are in the denomination of Rs. 500/-.

4. Hence this Petition is being filed for seeking adequate appropriate, swift and immediate actions to save all citizens of India facing grave harassment in almost every small day to day affair and elementary services like hospitals payments, schools fees payments, toll

fees payments, out-station hotel payments, labor payments, local transport payments, buying of essential items like grocery, clothes, pollutions masks, air cleaner, winter clothes, kids care items, old-age care items etc. Such action of the Respondent has and will cause grave injury to each citizen of India.

5. It is most respectfully submitted what all it may adversely impact cannot be judged or calculated at this stage, but citizens of India have rights here, which are ingrained constitutional and democratic rights and the same cannot, in no manner, be taken away by such dictatorial ways of implementing a Scheme which is going to create greatest chaos in the history of India. There should have been a well-planned method and sufficient time frame for completing the transition so as not to create unprecedented chaos, trouble & panic in the lives of more than 125 Billions of Indian.

6. Petitioner has not filed any other or similar petition before any court of law in India concerning the present issues & reliefs. Petitioner has also not approached the

authority concerned for similar issues and reliefs due to urgency involved in the matter. Petitioner is filing this petition on the following grounds among others:

GROUNDS

- A. Because Respondent has stopped legal tender of bank notes of denominations of existing series of the value of specified bank notes with effect from 9.11.2016 in terms of the scheme given in the Notification dated 8.11.2016 passed by Respondent.
- B. Because phasing out of specified bank notes on 9.11.2016 was announced by the Hon'ble Prime Minister between 8.00pm - 9.20pm on 8.11.2016 and thereafter that Notification dated 8.11.2016 was issued around 11.00pm by Respondent. It is submitted that Hon'ble Prime Minister also announced that new bank notes of denominations of Rs.500/- and Rs.2000/- are

going to replace the existing specified bank notes of Rs.500/- and Rs.1000/-. Therefore, giving no time to people in possession of Rs. 500 & Rs. 1000/- to exchange from banks and other government utilities as specified by Hon'ble Prime Minister. It is further submitted that banks are closed for public dealing for 9.11.2016 making it more difficult for the Aam Aadmi to obtain legitimate money for purchase of Daily utilities and necessities. That U/s 26(2) of the Reserve Bank India Act,1934 Respondent is required to give reasonable time to people to make alternate financial arrangements to avoid large scale mayhem and chaos.

C. Because Petitioner is not against the said  
Scheme of phasing out of specified bank notes,  
but against the manner of its implementation as  
provided in the said Notification, which has  
 created panic and emergency like situation all  
 around India, be it metropolitans, city, towns &



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villages etc. Petitioner has reasonable anticipation that 125 Billions of citizens are going to be clueless about running their day to day life till the time the transition from specified bank notes to new bank notes takes place. The whole chain of transaction will be affected, making people worry more about procuring money, leaving them standing in line, in banks, to obtain legitimate currency notes and affect their work & trade.

D. Because constitutional 'Right to Life' & 'Right to Trade' of all the citizens of India is being infringed by Respondent due to unreasonable, unmethodical and dictatorial manner of implementing the said Scheme. Respondent has failed to follow constitutional rule of law, adherence to principles of natural justice and provide sufficient time to citizens of India to prepare for such phasing out of specified bank notes. As a result the lives, livelihood, existence,

business, trade and education etc. of billions of citizens shall get affected, in innumerable, uncalculated and uncountable ways. The implementation of phasing out of specified bank notes, overnight, fails the test of reasonableness and care for its citizens by the Respondent Government.

E. Because this move of the Respondent may adversely impact, and cannot be judged or calculated at this stage, but citizens of India have rights here, which are ingrained constitutional and democratic rights and the same cannot, in no manner, be taken away by such dictatorial ways of implementing a Scheme, which is going to create greatest chaos in the history of India. There should have been a well-planned method and sufficient time frame for completing the transition so as not to create unprecedented chaos, trouble & panic in the lives of more than 125 Billions of Indian

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- F. Because in the next few weeks or may be months, almost all citizens of India are going to face grave harassment in almost every small day to day affair and elementary services like hospitals payments, schools fees payments, toll fees payments, out-station hotel payments, labor payments, local transport payments, buying of essential items like grocery, clothes, pollutions masks, air cleaner, winter clothes, kids care items, old-age care items etc.
- G. Because According to Reserve Bank of India's (RBI) data, the total outstanding currency in circulation in the Indian economy as on October 28 stood at Rs. 17.77 Lakh Crore. RBI does not know how much of this comprises of Rs. 500 and Rs 1,000 notes. This data shows that out of the total Rs 16.42 lakh crore value of bank notes in circulation as on March 31, 2016, as much as Rs 14.18 lakh crore, i.e. over 86 per cent, consisted of Rs 500 and Rs 1,000 notes.

- H. Because this would mean that for aam aadmi, the said scheme would translate into large queues before banks and post offices and even ordinary purchases of vegetables and other essentials in markets are going to be impacted badly.
- I. Because Respondent has declared that the specified bank notes of aggregate value of Rs.4000/- or below may be exchanged for any denominations of bank notes having legal character, with a requisition slip in the format specified by the Reserve Bank and proof of Identity. Withdrawal limit of Rs.10,000/- per day subject to an overall limit of Rs. 20000/- a week from the date of commencement of this notification until the end of business hours on 24.11.2016, after which these limits shall be revised. Window for emergency use of specified bank notes for specified services till 11.11.2016 is totally meaningless.

J. Because there are thousands of items, in the day to day affairs, which may value much more than Rs.20,000 and which may be totally necessary and can also be life-saving drugs, operations, marriage etc. Even the cremation expenses go for more than Rs.20,000/- at most of the places. Going by the Respondent's Scheme, one cannot even cremate, and for that he/she will have to first join long queues to obtain legitimate currency notes from banks. Prime Minister's announcement has come to thwart away the black money, fake currency notes and terrorism; but at the same time, this economic crisis created at the cost of lives of 125 billion of citizens of India, cannot be termed less than 'Economic Terrorism' in the lives of Aam Aadmi. All this, not only crushes the economy but also lives of those citizens, who may require moneys more than the allowed limits and many of them may not have credit cards or debit cards etc. and Respondent has very conveniently forgotten

that even such people have right to life and do trade.

K. Because Respondent has not printed sufficient money to distribute/circulate to more than 125 Billion citizens of India. The hardest ever question, that every citizen is facing today and the government has failed to respond, prepare for and/or address, is, "How would 125 billion citizens of India survive with a meager limit provided in the ambit of said scheme, that too in current scenario, when a small pollution mask come for more than Rs.2000/- and Inflation (*Mehngai*) is at its all-time peak?"

L. Because the Notification U/s 26(2) of the Reserve Bank India Act, 1934 is unconstitutional as Respondent has no power to stop legal tender of currency, which is subject matter of Entry 36 of List 1 of Seventh Schedule (Article 246)?

M. Because due to such method of implementation of this notification there will be chaos, which may lead to unrest in society due to shortage of money and necessities.

7. It is submitted that the said scheme is absurd with regard to the ways of its implementation and therefore petitioner is seeking quashing of the instant notification.

**PRAYERS**

In the facts and circumstances as above, the Petitioner seek to invoke the power of this Hon'ble Court under Article 32 & Article 142 of the Constitution of India and any other relevant Article of the Constitution of India and pray as under: -

- (I) Issue writ of Mandamus and/or Certiorari and/or any other appropriate writ and/or direction against the Respondent, therefore, quashing the instant Notification dated 8.11.2016 ceasing/stopping legal

tender of Rs.500 and Rs.1000 with effect from  
9.11.2016; and/or

In the Alternative, issue writ of mandamus  
and/or other appropriate writ against the Respondent  
to provide methodological and reasonable time frame  
to citizens of India for exchanging the specified bank  
notes to legitimate notes to avoid large scale mayhem,  
life threatening difficulties etc.;

(II) Pass any other or further orders, as this Hon'ble Court  
may deem fit and proper

Drawn and filed by

(VIVEK NARAYAN SHARMA)  
Petitioner in person

DRAWN ON: 09.11.2016  
FILED ON : 09.11.2016



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THE SUPREME COURT OF INDIA  
(ORIGINAL WRIT JURISDICTION)  
WRIT PETITION (CIVIL) NO. \_\_\_\_\_ 2016

IN THE MATTER OF:

VIVEK NARAYAN SHARMA

...PETITIONER

VERSUS

UNION OF INDIA

...RESPONDENT

AFFIDAVIT

I, Vivek Narayan Sharma s/o Shri R.G. Sharma, aged about 36 years, r/o C-75, F.F., Panchsheel Enclave, New Delhi-17 do hereby solemnly state and affirm as under:

1. That I am the Petitioner in the accompanying writ petition and being familiar with the facts and circumstances of the case, I am competent and authorized to swear this Affidavit. That I have read and understood the contents of the abovementioned Writ Petition from (pages 1 to 20 and Para 1 to Para 7), list of dates (page 3 to page 8) and application for interim directions, I state that the same are true and correct to my knowledge and belief and have been drafted as per my instructions.
2. That the Annexures annexed to the Writ Petition are true copies of their respective originals.

DEPONENT

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VERIFICATION:

I, the above named Deponent, do hereby verify that the contents of the above Affidavit are true and correct to my knowledge, no part of it is false and nothing material is concealed therefrom.

Verified at New Delhi on this <sup>09/11</sup>9 day of November  
2016.

DEPONENT

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THE SUPREME COURT OF INDIA  
(ORIGINAL WRIT JURISDICTION)  
WRIT PETITION (CIVIL) NO. \_\_\_\_\_ 2016

IN THE MATTER OF:

VIVEK NARAYAN SHARMA

...PETITIONER

VERSUS

UNION OF INDIA

...RESPONDENT

AFFIDAVIT

I, Vivek Narayan Sharma s/o Shri R.G. Sharma, aged about 39 years, r/o C-75, F.F., Panchsheel Enclave, New Delhi-17 do hereby solemnly state and affirm as under:

1. That I am the Petitioner in the accompanying writ petition and being familiar with the facts and circumstances of the case, I am competent and authorized to swear this Affidavit.
2. That there is no personal gain, private motive or oblique reason in filing the public interest litigation.

DEPONENT

VERIFICATION:

I, the above named Deponent, do hereby verify that the contents of the above Affidavit are true and correct to my knowledge, no part of it is false and nothing material is concealed therefrom.

Verified at New Delhi on this 10 day of November 2016.

DEPONENT

ANNEX. P-1

रजिस्ट्री सं० डी० एल०-33004/99

REGD. NO. D. L.-33004/99

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भारत का राजपत्र  
The Gazette of India

असाधारण  
EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)  
PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित  
PUBLISHED BY AUTHORITY

सं. 2652]

नई दिल्ली, मंगलवार, नवम्बर 8, 2016/कार्तिक 17, 1938

No. 2652]

NEW DELHI, TUESDAY, NOVEMBER 8, 2016/KARTIKA 17, 1938

वित्त मंत्रालय

(आर्थिक कार्य विभाग)

अधिसूचना

नई दिल्ली, 8 नवम्बर, 2016

का.आ. 3407(अ).— भारतीय रिजर्व बैंक के केंद्रीय निदेशक बोर्ड (जिसे इसमें इसके पश्चात् बोर्ड कहा गया है) ने सिफारिश की है कि विद्यमान श्रृंखलाओं के पांच सौ रुपए और एक हजार रुपए के अंकित मूल्य के बैंक नोट (जिसे इसमें इसके पश्चात् विनिर्दिष्ट बैंक नोट कहा गया है) वैध मुद्रा नहीं रहेंगे ;

और यह देखा गया है कि विनिर्दिष्ट बैंक नोटों के जाली मुद्रा नोट अधिकांश रूप से परिचालन में हैं और वास्तविक बैंक नोटों की जाली बैंक नोटों से सरलता से पहचान करना कठिन है और जाली मुद्रा नोटों का उपयोग देश की अर्थव्यवस्था पर प्रतिकूल प्रभाव डाल रहा है ;

और यह देखा गया है कि उच्च मूल्य के बैंक नोटों का उपयोग गणना में न लिए गए धन के भंडारण के लिए किया जाता है जैसा कि विधि प्रवर्तन अभिकरणों द्वारा नकदी की बड़ी वसूलियों से परिलक्षित है ;

और यह भी देखा गया है कि जाली मुद्रा का उपयोग मादक पदार्थों का अवैध व्यापार और आतंकवाद जैसी ध्वंसकारी गतिविधियों के वित्तपोषण के लिए किया जा रहा है, जो देश की अर्थव्यवस्था और सुरक्षा को नुकसान कारित कर रही हैं तथा केंद्रीय सरकार ने सम्यक् विचारण के पश्चात् बोर्ड की सिफारिशों को कार्यान्वित करने का विनिश्चय किया है ;

अतः अब, केंद्रीय सरकार, भारतीय रिजर्व बैंक अधिनियम, 1934 (1934 का 2) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 26 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, घोषणा करती है कि विनिर्दिष्ट बैंक नोट 9 नवंबर, 2016 से नीचे विनिर्दिष्ट सीमा तक वैध मुद्रा के रूप में नहीं रहेंगे ;

1.(1) बैंककारी कंपनी (विनियमन) अधिनियम, 1949 (1949 का 10) के अधीन परिभाषित प्रत्येक बैंककारी कंपनी और प्रत्येक सरकारी खजाना 8 नवंबर, 2016 को कारवार की समाप्ति पर उसके द्वारा धृत विनिर्दिष्ट बैंक नोटों के व्यौरों को उपदर्शित करते हुए एक रिटर्न पूरा करेंगे और 10 नवंबर, 2016 को 13.00 बजे से पूर्व भारतीय रिजर्व बैंक (जिसे इसमें इसके पश्चात् रिजर्व बैंक कहा गया है) के अभिहित क्षेत्रीय कार्यालय को उसके द्वारा विनिर्दिष्ट प्रारूप में अग्रेषित करेगा ।

5199 GI/2016

(1)

(2) उप धारा (1) में निर्दिष्ट दिनों को छोड़ित करने के लिए पर्यटन, विनिर्दिष्ट बैंक नोटों को लिख या निकटतम मुद्रा बैंक या रिजर्व बैंक की शाखा या कार्यालय में उनके लेखाओं में प्रत्येक के लिए प्रेषित किया जाएगा।

धारा 1 के उप धारा (1) में निर्दिष्ट किसी बैंककारी कंपनी या सरकारी खजाना से भिन्न किसी व्यक्ति द्वारा शुरू विनिर्दिष्ट बैंक नोटों को लिख बैंक के किसी निराम कार्यालय या पब्लिक सेक्टर बैंक, प्राइवेट सेक्टर बैंक, विदेशी बैंक, प्रादेशिक शासी बैंक, शहरी सहकारी बैंक और राज्य सहकारी बैंकों की किसी शाखा में 30 दिसंबर, 2016 तक की कालवाशि और जिसमें वह राष्ट्रीय सम्मिलित है, तक निम्नलिखित शर्तों के अधीन रहते हुए, अर्थात् :-

(i) कुल 4,000/- रुपये या उससे कम मूल्य के विनिर्दिष्ट बैंक नोटों का वार्षिक वंश मुद्रा की विशेषता रखने वाले किसी भी बैंक के बैंक नोटों में भारतीय रिजर्व बैंक द्वारा विनिर्दिष्ट किए जाने वाले प्रत्येक में एक अक्षयवशा पूर्ण और पर्यटन के सर्वोत्तम मूल्य विनिर्दिष्ट किया जा सकता है।

(ii) विनिर्दिष्ट बैंक नोटों के विनिर्दिष्ट बैंक नोटों का इस अधिसूचना के लागू होने की तारीख से पन्द्रह दिन के पर्यटन पुनर्वित्तन किया जाएगा और जहाँ भी आवश्यक हो, समुचित आदेश किया जा सकता है।

(iii) किसी व्यक्ति द्वारा बैंक के पास रखे गए बैंक नोटों को विनिर्दिष्ट बैंक नोटों की मात्रा या मूल्य पर बढ़ा कोई सीमा नहीं होगी, जहाँ विनिर्दिष्ट बैंक नोट जमा किए जा रहे हैं; तथापि, उन लेखाओं में जहाँ अपने शाहक को जानिए (केवाईसी)

मानकों की अनुपपानना पूर्ण नहीं है तो जमा किए जा सकने वाले विनिर्दिष्ट बैंक नोटों का अधिकतम मूल्य 50,000/- रुपये होगा।

(iv) जमा किए गए विनिर्दिष्ट बैंक नोटों के समस्त मूल्य का जमा करने वाले द्वारा किसी बैंक में रखे गए बैंक नोटों के मूल्य में मानक बैंककारी प्रक्रिया के अनुसार और पर्यटन का विधिमान्य सर्वोत्तम प्रत्येक किया जा सकता है।

(v) जमा किए गए विनिर्दिष्ट बैंक नोटों के समस्त मूल्य का किसी भी बैंक के बैंक नोटों के मूल्य में प्रत्येक किया जा सकता है पर्यटन के लिए उपरोक्त लिए वृत्तीय प्रथकार द्वारा विनिर्दिष्ट प्राधिकार मानक बैंककारी प्रक्रियाओं का अनुसरण करते हुए और वास्तव में जमा करने वाले व्यक्ति की पर्यटन का विधिमान्य सर्वोत्तम प्रत्येक किया जा रहा है।

(vi) पटल पर किसी बैंक लेख से नकदी का आहरण 24 नवंबर, 2016 की कारवार के घटों की समाप्ति तक इस अधिसूचना के प्रावधानों की तारीख से किसी सप्ताह में 20,000/- रुपये की समय सीमा के अधीन रहते हुए 10,000/- रुपये प्रतिदिन तक निरधारित होगा, जिसके पर्यटन इन सीमाओं का पुनर्वित्तन किया जाएगा।

(vii) किसी व्यक्ति के किसी व्यक्ति द्वारा प्रचालन के लिए किसी भी नकद विधि के उपयोग पर कोई निबंधन नहीं होगा, जिसके अंतर्गत बैंक, डिमांड ड्राफ्ट, क्रेडिट या डेबिट कार्ड, मोबाइल बैंक और इलेक्ट्रॉनिकी निधि अंतर्गत बैंक या बैंक ही सम्मिलित होंगे।

(viii) स्वचालित डैशर मशीनों (जिसे इसमें इसके पर्यटन एटीएम कहा गया है) से 18 नवंबर, 2016 तक प्रतिदिन प्रति कार्ड आहरण 2,000/- रुपये तक निर्धारित होगा और इस सीमा को 19 नवंबर, 2016 से प्रतिदिन प्रति कार्ड 4,000/- रुपये तक बढ़ा दिया जाएगा।

(ix) कोई व्यक्ति, जो विनिर्दिष्ट बैंक नोटों का अपने बैंक खातों में 30 दिसंबर, 2016 को या उससे पूर्व विनिर्दिष्ट करने में या जमा करने में असमर्थ रहता है, उसको भारतीय रिजर्व बैंक के विनिर्दिष्ट कार्यालयों या ऐसी अन्य सुविधा में रिजर्व बैंक द्वारा सुधारित विनिर्दिष्ट पर्यटनवर्ती राष्ट्रीय बैंक द्वारा विनिर्दिष्ट करने या जमा करने का एक अवसर प्रदान किया जाएगा।

3. (1) धारा 1 के उप धारा (1) में निर्दिष्ट प्रत्येक बैंककारी कंपनी और प्रत्येक सरकारी खजाना 9 नवंबर, 2016 को विनाम इस स्कीम को कार्यान्वित करने के लिए तैयारी और नजदीकी मुद्रा बैंक या रिजर्व बैंक की शाखाओं या कार्यालयों और वंश मुद्रा की विशेषता रखने वाले बैंक नोटों की प्रतिक्रिया के संबंध में पर्यटन के लिए बंद होगा।

(2) सभी एटीएम, नकदी जमा मशीनें, नकदी पुनः चक्रण और कोई अन्य मशीन, जिसका उपयोग नकदी की प्रतिक्रिया और वंश के लिए किया जाता है, 9 नवंबर तथा 10 नवंबर, 2016 को बंद कर दी जाएगी।

- (3) पैरा 1 के उप पैरा (1) में निर्दिष्ट प्रत्येक बैंक एटीएम से विनिर्दिष्ट बैंक नोटों को वापस लेगा और उनको 11 नवंबर, 2016 को मशीनों को पुनः सक्रिय करने से पूर्व वैध मुद्रा की विशेषता रखने वाले बैंक नोटों से प्रतिस्थापित करेगा।
- (4) श्वेत लेबल एटीएम के प्रायोजक बैंक श्वेत लेबल एटीएम से विनिर्दिष्ट बैंक नोटों को वापस लेने के लिए और उन्हें मशीनों को पुनः सक्रिय करने से पूर्व 11 नवंबर, 2016 को वैध मुद्रा की विशेषता रखने वाले बैंक नोटों से प्रतिस्थापित करने के लिए उत्तरदायी होंगे।
- (5) सभी बैंक यह सुनिश्चित करेंगे कि उनके एटीएम और श्वेत लेबल एटीएम रिजर्व बैंक से और अगले अनुदेश प्राप्त होने तक 100 रुपए या 50 रुपए अंकित मूल्य के बैंक नोटों का वितरण करेंगे।
- (6) पैरा 1 के उप पैरा (1) में निर्दिष्ट बैंककारी कंपनी और सरकारी खजाने 10 नवंबर, 2016 से अपना सामान्य संव्यवहार आरंभ करेंगे।
4. पैरा 1 के उप पैरा (1) में निर्दिष्ट प्रत्येक बैंककारी कंपनी, 10 नवंबर, 2016 से आरंभ होने वाले प्रत्येक दिन के कारबार के समाप्त होने पर, रिजर्व बैंक को एक विवरण प्रस्तुत करेगा, जिसमें भारतीय रिजर्व बैंक द्वारा विनिर्दिष्ट किए जाने वाले प्ररूप के अनुसार इसके द्वारा विनिमय किए गए विनिर्दिष्ट बैंक नोटों के ब्यौरे दर्शित होंगे।

[फा.सं. 10/03/2016-सीवाई.1]

डॉ. सौरभ गर्ग, संयुक्त सचिव

## MINISTRY OF FINANCE

(Department of Economic Affairs)

## NOTIFICATION

New Delhi, the 8th November, 2016

**S.O. 3407(D)** Whereas, the Central Board of Directors of the Reserve Bank of India (hereinafter referred to as the Board) has recommended that bank notes of denominations of the existing series of the value of five hundred rupees and one thousand rupees (hereinafter referred to as specified bank notes) shall be ceased to be legal tender;

And whereas, it has been found that fake currency notes of the specified bank notes have been largely in circulation and it has been found to be difficult to easily identify genuine bank notes from the fake ones and that the use of fake currency notes is causing adverse effect to the economy of the country;

And whereas, it has been found that high denomination bank notes are used for storage of unaccounted wealth as has been evident from the large cash recoveries made by law enforcement agencies;

And whereas, it has also been found that fake currency is being used for financing subversive activities such as drug trafficking and terrorism, causing damage to the economy and security of the country and the Central Government after due consideration has decided to implement the recommendations of the Board;

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 26 of the Reserve Bank of India Act, 1934 (2 of 1934) (hereinafter referred to as the said Act), the Central Government hereby declares that the specified bank notes shall cease to be legal tender with effect from the 9th November, 2016 to the extent specified below, namely:—

1. (1) Every banking company defined under the Banking Regulation Act, 1949 (10 of 1949) and every Government Treasury shall complete and forward a return showing the details of specified bank notes held by it at the close of business as on the 8th November, 2016, not later than 13:00 hours on the 10th November, 2016 to the designated Regional Office of the Reserve Bank of India (hereinafter referred to as the Reserve Bank) in the format specified by it.

(2) Immediately after forwarding the return referred to in sub-paragraph (1), the specified bank notes shall be remitted to the linked or nearest currency chest, or the branch or office of the Reserve Bank, for credit to their accounts.

The specified bank notes held by a person other than a banking company referred to in sub-paragraph (1) of paragraph 1 or Government Treasury may be exchanged at any Issue Office of the Reserve Bank or any branch of public sector banks, private sector banks, foreign banks, Regional Rural Banks, Urban Cooperative Banks and State Cooperative Banks for a period up to and including the 30th December, 2016, subject to the following conditions, namely:—

- (i) the specified bank notes of aggregate value of Rs. 4000/- or below may be exchanged for any denomination of bank notes having legal tender character, with an acquisition slip in the format specified by the Reserve Bank and proof of identity.

[What for illustrates]  
32%

Rural Areas - far away Banks/branches

IT Data  
5-6%  
or  
0.01%  
of PPI.

violative

(meaningless, in today's perspective)

Q. Is whether the following  
limitations on using my own Money  
~~is~~ Reasonable ???

(v) For 15 days. → ~~20k~~ exchanged only (Single Transaction)  
then review.

(vi) withdrawal from A/c - ~~10k~~ per day  
{ (until 24.11.16) } ~~20k~~ per week limit  
then review

(vii) ATM withdrawal. - ~~2k~~ per day (up to 18.11.16)  
~~4k~~ per day { from 19.11.16 }  
infinite

Ans.

these conditions together with immediate ceasing  
~~of~~ of legal tender of specified Bank Notes

↓

Has created unprecedented Hoax.  
and unending Troubles, Hardship,  
Frenzy, Mayhem, Law & Order problems  
and what not.

↓

People are dying due to such action  
of State, clear violation of  
Fundamental Rights of Citizens.

All this has created greatest of threats to Human  
survival and <sup>social</sup> interest emergency.

- 29
- (ii) ~~the limit of Rs.4,000/- for exchanging specified bank notes shall be reviewed after fifteen days from the date of commencement of this notification and appropriate orders may be issued, where necessary;~~
- (iii) there shall not be any limit on the quantity or value of the specified bank notes to be credited to the account maintained with the bank by a person, where the specified bank notes are tendered; however, where compliance with extant Know Your Customer (KYC) norms is not complete in an account, the maximum value of specified bank notes as may be deposited shall be Rs.50,000/-;
- (iv) the equivalent value of specified bank notes tendered may be credited to an account maintained by the tenderer at any bank in accordance with standard banking procedure and on production of valid proof of Identity;
- (v) the equivalent value of specified bank notes tendered may be credited to a third party account, provided specific authorisation therefor accorded by the third party is presented to the bank, following standard banking procedure and on production of valid proof of identity of the person actually tendering;
- (vi) ~~cash withdrawal from a bank account over the counter shall be restricted to Rs.10,000/- per day, subject to an overall limit of Rs.20,000/- a week, from the date of commencement of this notification until the end of business hours on 24th November, 2016, after which these limits shall be reviewed;~~
- (vii) there shall be no restriction on the use of any non-cash method of operating the account of a person including cheques, demand drafts, credit or debit cards, mobile wallets and electronic fund transfer mechanisms or the like;
- (viii) ~~withdrawal from Automatic Teller Machines~~ (hereinafter referred to as ATMs) shall be restricted to Rs.2,000 per day per card up to 18th November, 2016 and the limit shall be raised to Rs.4,000 per day per card from 19th November, 2016;
- (ix) any person who is unable to exchange or deposit the specified bank notes in their bank accounts on or before the 30th December, 2016, shall be given an opportunity to do so at specified offices of the Reserve Bank or such other facility until a later date as may be specified by it.

3. (1) Every banking company and every Government Treasury referred to in sub-paragraph (1) of paragraph 1 shall be closed for the transaction of all business on 9th November, 2016, except the preparation for implementing this scheme and remittance of the specified bank notes to nearby currency chests or the branches or offices of the Reserve Bank and receipt of bank notes having legal tender character.

(2) All ATMs, Cash Deposit Machines, Cash Recyclers and any other machine used for receipt and payment of cash shall be shut on 9th and 10th November, 2016.

(3) Every bank referred to in sub-paragraph (1) of paragraph 1 shall recall the specified bank notes from ATMs and replace them with bank notes having legal tender character prior to reactivation of the machines on 11th November, 2016.

(4) The sponsor banks of White Label ATMs shall be responsible to recall the specified bank notes from the White Label ATMs and replacing the same with bank notes having legal tender character prior to reactivation of the machines on 11th November, 2016.

(5) All banks referred to in sub-paragraph (1) of paragraph 1 shall ensure that their ATMs and White Label ATMs shall dispense bank notes of denomination of Rs.100 or Rs. 50, until further instructions from the Reserve Bank.

(6) The banking company referred to in sub-paragraph (1) of paragraph 1 and Government Treasuries shall resume their normal transactions from 10th November, 2016.

4. Every banking company referred to sub-paragraph (1) of paragraph 1, shall at the close of business of each day starting from 10th November, 2016, submit to the Reserve Bank, a statement showing the details of specified bank notes exchanged by it in such format as may be specified by the Reserve Bank.

[F.No.10/03/2016-Cy.I]

Dr. SAURABH GARG, Jt. Secy.



ANNEX P-2  
25

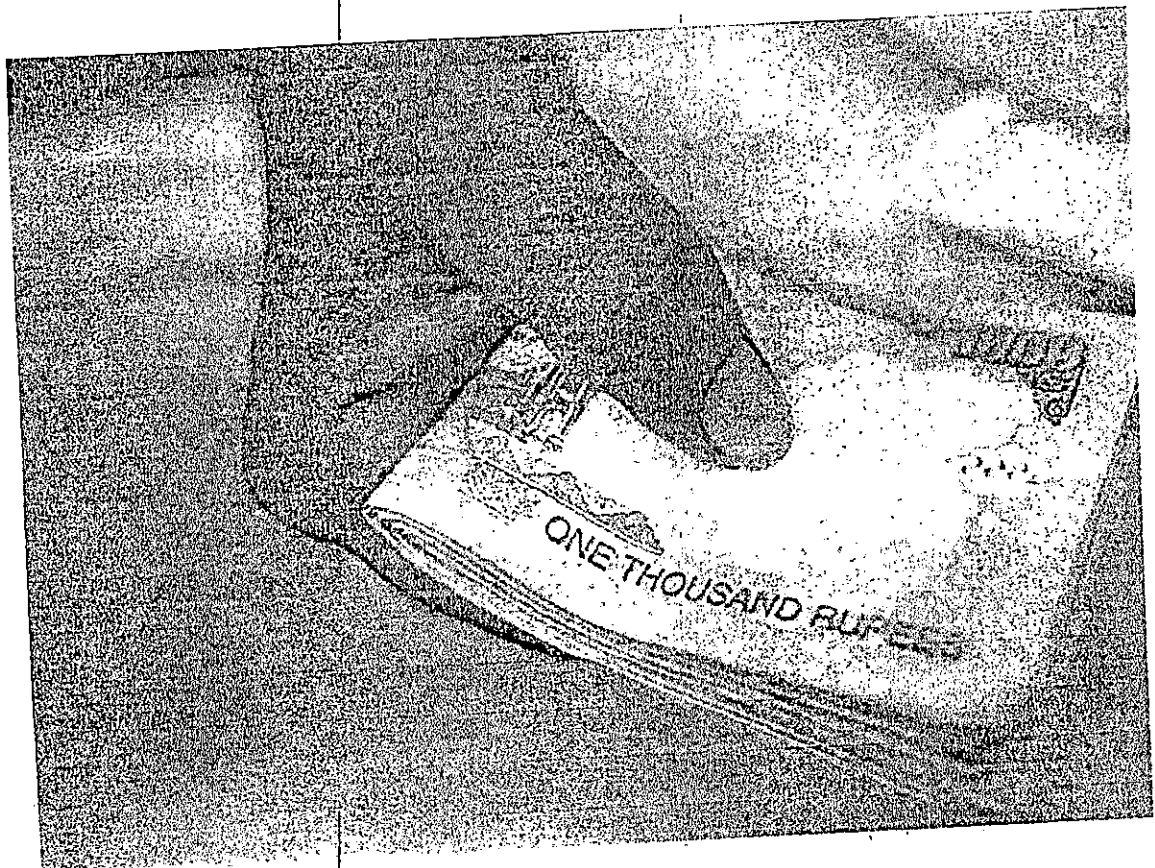
WEB News Item : THE INDIAN EXPRESS

ARE BANKS EQUIPPED TO REPLACE 2,300 CRORE  
PIECES OF RS 500 AND RS 1,000 NOTES?

THE PEOPLE WHO WOULD BE REALLY HIT ARE THE  
ONES WHO HAVE STORED THEIR ILL-GOTTEN  
WEALTH IN THE NOW USELESS RS 500 AND RS 1,000  
DENOMINATION NOTES

Written by Harish Damodaran | Updated: November 9,

2016 7:14 am



When told that the Rs 500, Rs 1000 notes with you will be worthless overnight unless exchanged with smaller denominations, it would straightaway translate into large queues before banks and post offices. (Source: Reuters)

Prime Minister Narendra Modi's announcement to disallow use of existing Rs 500 and Rs 1,000 notes from this midnight caught everyone by surprise. Here's some quick numbers on the implications of this move.

According to Reserve Bank of India data, the total outstanding currency in circulation in the Indian economy as on October 28 stood at Rs 17.77 lakh crore. We don't know how much of this comprises Rs 500 and Rs 1,000 notes.

But an indicator of what it could be can be seen from the RBI's latest Annual Report. This data shows that out of the total Rs 16.42 lakh crore value of bank notes in circulation as on March 31, 2016, as much as Rs 14.18

lakh crore, i.e. over 86 per cent, consisted of Rs 500 and Rs 1,000 notes. In terms of volumes, out of the total 9026.6 crore banknote pieces, 2,203 crore or 24 per cent-plus were of Rs 500 and Rs 1,000 denomination.

Simply put, the de-monetisation of Rs 500 and Rs 1,000 notes, which is what Prime Minister Narendra Modi has announced will happen from Tuesday night, would mean more than Rs 15 lakh crore worth of high-value legal tender being withdrawn from circulation. It is likely that the bulk of this would simply be deposited by people in banks rather than be exchanged for lower denomination notes: Outright replacement of 2,300 crore banknote pieces will be an obvious logistical nightmare.

The people who would be really hit are the ones who have stored their ill-gotten wealth in the now useless Rs 500 and Rs 1,000 denomination notes. It will be virtually impossible for them to exchange all this

money or even deposit these in banks, as taking wads of Rs 1,000 notes day after day is going to at some point invite questions from the taxman. Effectively, it means rendering much of this black money in the form of stashed cash worthless, as there are limits to either exchanging or depositing notes whose value may run to crores of rupee.

But even for the Aam Aadmi, there will be issues. If the Rs 500 notes with him/her are deemed worthless unless re-deposited or exchanged with smaller denominations, it would either way translate into large queues before banks and post offices. The temporary disruption to trade – we are not talking here of just real estate transactions having significant 'black' component, but even ordinary purchases of vegetables and other essentials in markets generally dealing with cash – may not be small.

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THE SUPREME COURT OF INDIA  
(ORIGINAL WRIT JURISDICTION)  
WRIT PETITION (CIVIL) NO. \_\_\_\_\_ 2016

IN THE MATTER OF:

VIVEK NARAYAN SHARMA ...PETITIONER

VERSUS

UNION OF INDIA ...RESPONDENT

APPLICATION FOR SEEKING INTERIM DIRECTIONS

TO

THE HON'BLE THE CHIEF JUSTICE OF INDIA  
AND HIS COMPANION JUSTICES OF THE  
HON'BLE SUPREME COURT OF INDIA.

THE HUMBLE APPEAL OF THE  
APPLICANT ABOVE NAMED.

MOST RESPECTFULLY SHOWETH:-

1. Petitioners are filing the present petition under Article 32 and seeking to invoke the power of this Hon'ble

Court under Article 142 of the Constitution of India seeking quashing of the notification dated 08.11.2016 pass by the Ministry of Finance, Department of Economic Affairs, until proper and reasonable time frame is provided for phasing out the specified bank notes and exchange of the same into new and/or legitimate currency notes.

2. The contents of the instant writ petition are not being repeated for the sake of brevity and the same may be read as part and parcel of the instant application.
3. That in terms of reasons and grounds mentioned in the present petition Respondent is required to give reasonable time to people to make alternate financial arrangements to avoid large scale mayhem and chaos.

PRAYER

It is, therefore, most respectfully prayed that this Hon'ble

Court be pleased to: -

21

- (a) Pass an order to suspend the Notification dated 08.11.2016 issued by the Respondent, subject to the outcome of the instant writ petition.
- (b) Pass such other order (s) as may deem fit and proper in the facts and circumstances of the case.

AND FOR THIS ACT OF KINDNESS, THE HUMBLE  
APPLICANT AS IN DUTY BOUND SHALL EVERY PRAY

Drawn and filed by

(VIVEK NARAYAN SHARMA)  
Petitioners in person

DRAWN ON: 9.11.2016  
FILED ON : 9.11.2016

32

THE SUPREME COURT OF INDIA  
(ORIGINAL WRIT JURISDICTION)  
WRIT PETITION (CIVIL) NO. \_\_\_\_\_ 2016

IN THE MATTER OF:

VIVEK NARAYAN SHARMA . . . PETITIONER

VERSUS

UNION OF INDIA . . . RESPONDENT

APPLICATION FOR SEEKING PERMISSION TO APPEAR  
AND ARGUE IN PERSON FOR HIMSELF

TO

THE HON'BLE THE CHIEF JUSTICE OF INDIA  
AND HIS COMPANION JUSTICES OF THE  
HON'BLE SUPREME COURT OF INDIA.

THE HUMBLE APPEAL OF THE  
APPLICANT ABOVE NAMED.

MOST RESPECTFULLY SHOWETH:-

1. Petitioners are filing the present petition under Article 32 and seeking to invoke the power of this Hon'ble Court under Article 142 of the Constitution of India



seeking quashing of the notification dated 08.11.2016 pass by the Ministry of Finance, Department of Economic Affairs, until proper and reasonable time frame is provided for phasing out the specified bank notes and exchange of the same into new and/or legitimate currency notes.

2. The contents of the instant writ petition are not being repeated for the sake of brevity and the same may be read as part and parcel of the instant application.
3. The instant petition is being filed by Petitioner in person. Petitioner is an Advocate-on-Record of this Hon'ble Court, competent to appear before this Hon'ble Court and seeks permission from this Hon'ble Court to appear and argue the instant case, himself.

PRAYER

It is, therefore, most respectfully prayed that this Hon'ble Court be pleased to: -

34

- (a) Permit Petitioner to appear and argue for himself before this Hon'ble Court in the above said writ petition;
- (b) Pass such other order (s) as may deem fit and proper in the facts and circumstances of the case.

AND FOR THIS ACT OF KINDNESS, THE HUMBLE  
APPLICANT AS IN DUTY BOUND SHALL EVERY PRAY

Drawn and filed by

(VIVEK NARAYAN SHARMA)  
Petitioners in person

DRAWN ON: 09.11.2016  
FILED ON: 09.11.2016

SECTION: P1

# IN THE SUPREME COURT OF INDIA

(Civil / Criminal Appellate / Original / Jurisdiction)

Special Leave Petition (Civil / Criminal) No. ~~906~~ ..... Of 20 ~~16~~  
 Writ / Petition (Civil / Criminal) No. 906 ..... Of 20 ~~16~~  
 Civil / Criminal / Appeal / I.A. No. .... Of 20  
 T.P. / T.C. (Civil / Criminal) No. .... Of 20

IN THE MATTER OF:

Vivek Narayan Sharma

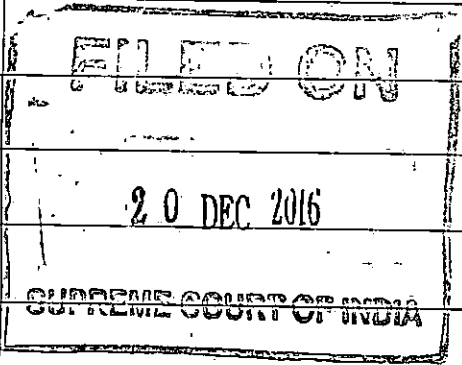
Petitioner  
Appellant

-VERSUS-

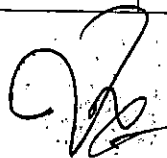
Union of India

Respondent

## INDEX OF FILING

S.NO.	PARTICULARS	COPIES	COURT FEES
1.	Process. fees	4	
2.			
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		TOTAL	

Filed on: 20/12/16



(VIVEK NARAYAN SHARMA)  
 Advocate for the petitioner (s)  
 Respondent (s) No. .... / Appellant  
 No: 1867

SECTION: P12

# IN THE SUPREME COURT OF INDIA

(Civil / Criminal Appellate / Original / Jurisdiction)

Special Leave Petition (Civil / Criminal) No ..... Of 20  
 Writ / Petition (Civil / Criminal) No. 906 ..... Of 20  
 Civil / Criminal / Appeal / I.A. No. .... Of 20  
 T.P. / T.C. (Civil / Criminal) No ..... Of 20

16  
 84499

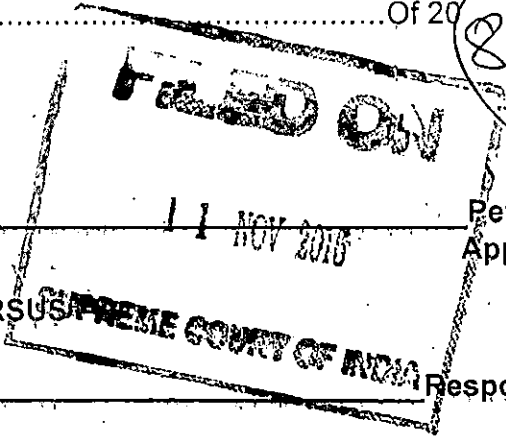
IN THE MATTER OF:

Vivek Narayan Sharma

Petitioner(s)  
Appellant (s)

Union of India.

-VERSUS-



Respondent (s)

### INDEX OF FILING

S.NO.	PARTICULARS	COPIES	COURT FEES
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6.			
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9.	Mrs. Anil Rajiyar Adv.		
10.			
		TOTAL	

Filed on: 10/11/2016

Adv. Narayan  
 (VIVEK NARAYAN SHARMA)  
 Advocate for the petitioner (s)  
 Respondent (s) No. .... / Appellant (s)  
 Code No: 1867  
 Petitions in Person.

Clerk I.C.No.: 3495  
 Pramod Mukhiya  
 Mobile: 8860625870

NDOH. 21/4/17

SECTION: PIL

# IN THE SUPREME COURT OF INDIA

(Civil / Criminal Appellate / Original / Jurisdiction)

Special Leave Petition (Civil / Criminal) No ..... Of 20  
 Writ / Petition (Civil / Criminal) No. 906 ..... Of 20  
 Civil / Criminal / Appeal / I.A. No ..... Of 20  
 T.P. / T.C. (Civil / Criminal) No ..... Of 20

25064  
 Petitioner(s)  
 Appellant (s)

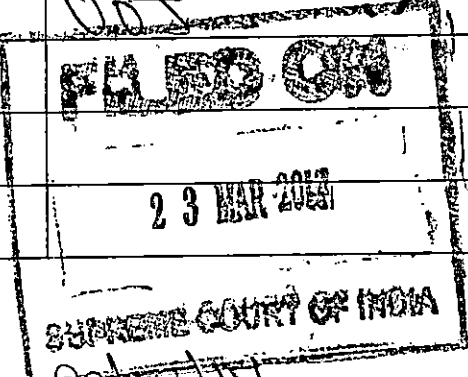
IN THE MATTER OF:

Vivek Narayan Sharma

-VERSUS -

Respondent (s)

## INDEX OF FILING

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2.	I.A.No. 3 & 4 / 2016	1+1	
3.	I.A.No. 5 / 2016	1+1	
4.	I.A.No. 6 / 2016	1+1	
5.	Affidavit on behalf of UOI	1+1	
6.	Counter Affidavit behalf of.		
7.	UOI	1+1	
8.			
9.			
10.			
		TOTAL	

Filed on: 25/05/17



(VIVEK NARAYAN SHARMA)  
Advocate for the petitioner (s)

Respondent (s) No..... / Appellant (s)

Code No: 1867

Petitioner-in-Reason

Clerk I.C.No.: 3495  
Pramod Mukhiya  
Mobile: 8860625870

⇒ I.A. 9/17 - Anurag Rishra

① I.A. 10/17 ⇒ Raj Singh Rana

② I.No. 118/12/017  
Ranishk Singh IN Pe.

✓  
THROUGH SPECIAL MESSENGER / SPEED POST

(18)

D.NO. 4771/2016/SC/PIL(W)

SUPREME COURT OF INDIA  
NEW DELHI

DATED: 19<sup>th</sup> December, 2016

From : Assistant Registrar PIL(WRIT)

To :

1. Mr. Vivek Narayan Sharma, Petitioner-in-person  
C-75 (First Floor), Panchsheel Enclave,  
New Delhi - 110 017
2. Mr. Sangam Lal Pandey, Petitioner-in-person  
Lawyers Chamber No. 4,  
Supreme Court of India  
New Delhi - 110 001
3. Mr. Varun Punia, Advocate  
Chamber No. 111, Old Lawyers Chambers  
Supreme Court of India  
New Delhi - 110 001
4. Ms. Kamini Jaiswal, Advocate  
43, Lawyers Chamber  
Supreme Court of India  
New Delhi - 110 001
5. Mr. Sunil Kumar Verma, Advocate  
50, Old Lawyers Chamber  
Supreme Court of India  
New Delhi - 110 001
6. Ms. Aparna Jha, Advocate  
232, New Lawyers Chambers  
Supreme Court of India  
New Delhi - 110 001
7. Mr. Satya Mitra, Advocate  
122, C. K. Daphtary Chambers Block  
Supreme Court of India  
New Delhi
8. Mr. Viplav Sharma, Advocate  
I-53, Windsor Park,  
5, Vaibhav Khand, Indirapuram  
Ghaziabad - 201 014
9. Mr. Manohar Lal Sharma  
Petitioner-in-person  
S.C.B.A. No. 1  
Supreme Court of India  
New Delhi - 110 001

10. Mr. Ankur Prakash, Advocate  
303, Lawyers Chambers  
Supreme Court of India  
New Delhi - 110 001
11. Mr. P. V. Dinesh, Advocate  
14, Todarmal Road,  
Bengali Market  
New Delhi - 110 001
12. Mr. R. D. Upadhyay, Advocate  
15, New Lawyers Chambers  
Supreme Court of India  
New Delhi - 110 001
13. Mr. Alok Shukla, Advocate  
307, New Lawyers Chambers  
Supreme Court of India  
New Delhi - 110 001
14. Mr. A. C. Philip,  
Petitioner-in-person  
304, Hari Chambers  
3<sup>rd</sup> Floor, 54/68 SBS Marg,  
Near Old Custom House,  
Fort Mumbai - 400 023
15. Ms. Manju Sharma Jetely, Advocate  
Sai Kripa (A-491), Sarita Vihar  
Delhi - 110 076
16. Mr. T. R. B. Sivakumar, Advocate  
31, Lawyers Chambers  
Supreme Court of India  
New Delhi - 110 001
17. Mr. Ankur Prakash, Advocate  
303, C. K. Daphtary Block,  
Supreme Court of India  
New Delhi - 110 001
18. Mr. V. K. Biju, Advocate  
47, Lawyers Chambers  
Supreme Court of India  
New Delhi - 110 001

IN THE MATTER OF:

WRIT PETITION (CIVIL) NO. 906/2016, 908/2016, 913/2016, 916/2016,  
929/2016, 930/2016, 943/2016, 951/2016, 952/2016, 954/2016, 971/2016, 972/2016,  
978/2016, 997/2016, 1006/2016, W.P. (C) D. No. 37946/2016, 40114/2016 &

W.P. (CrI.) No. 162/2016

(Under Article 32 of the Constitution of India)



Vivek Narayan Sharma, etc.

..... Petitioners

Versus

Union of India & Anr., etc.

..... Respondents

Sir,

I am to inform you that the matters above-mentioned were listed before the Hon'ble Court on 16.12.2016 when the Court was pleased to direct issue of notice and admit the Writ Petitions and referred the matters to Constitution Bench of Five Hon'ble Judges.

You, are therefore, requested to supply two complete set of Writ Petition Paper Books and also file spare copies of W.P. for issue of Rule Nisi/Show Cause Notice forthwith.

This may be treated as 'MOST URGENT'.

Yours faithfully,

*[Signature]*  
Assistant Registrar

/vs...

SECTION PIL (WRIT)

MATTER FOR: 15.11.2016  
COURT NO. :  
ITEM NO. : Thr. Supple.

IN THE SUPREME COURT OF INDIA  
CIVIL ORIGINAL JURISDICTION

WRIT PETITION (CIVIL) NO. 906 OF 2016  
(Under Article 32 of the Constitution of India)  
WITH  
INTERLOCUTORY APPLICATION NO. 1 OF 2016  
(Application for Interim Direction)  
AND  
INTERLOCUTORY APPLICATION NO. 2 OF 2016  
(Application for Permission to appear & argue in person)

Vivek Narayan Sharma

.....Petitioner

Versus

Union of India

....Respondent

OFFICE REPORT

The Writ Petition above mentioned has been filed on 09.11.2016 by Mr. Vivek Narayan Sharma, Petitioner-in-person (Advocate) praying therein to:-

“(I) Issue writ of Mandamus and/or Certiorari and/or any other appropriate writ and/or direction against the Respondent, therefore, quashing the instant Notification dated 8.11.2016 ceasing/stopping legal tender of Rs. 500 and Rs. 1000 with effect from 9.11.2016.”

It is submitted that Mr. Vivek Narayan Sharma, Petitioner-in-person has on 11.11.2016 filed proof of service on Caveator for the Sole Respondent, i.e. Ministry of Finance.

Thereafter, the Writ Petition was mentioned on 10.11.2016, when the Court was pleased to pass the following order:-

“List this matter on Tuesday, 15<sup>th</sup> November, 2016 before an appropriate Bench.”

The Writ Petition alongwith applications above-mentioned is listed before the Hon'ble Court with this Office Report for orders.

Dated this the 12<sup>th</sup> day of November, 2016.

Sd/-  
Assistant Registrar

vs/-

REPORTABLE

IN THE SUPREME COURT OF INDIA

CIVIL/CRIMINAL ORIGINAL/APPELLATE JURISDICTION

**WRIT PETITION (CIVIL) No.906/2016**

Vivek Narayan Sharma

...Petitioner(s)

Vs.

Union of India

Respondent(s)

WITH

W.P.(C) Nos.908/2016,913/2016,916/2016,  
 WPC D.No.37946/2016, W.P.(C) No.929/2016, W.P.  
 (C)No.930/2016, 943/2016, W.P.(Crl.) No.162/2016, W.P.(C)  
 No.951/2016,952/2016,953/2016,954/2016,958/2016,957/2016,  
 T.P.(C)No.2018-2022/2016, W.P.(C)No.971/2016,972/2016, SLP©  
 No.35356/2016, T.P.(C)No.2030-2038/2016, W.P.(C)No.978/2016,  
 W.P.(C)D.No.40114/2016, W.P.(C) No.944/2016,  
 SLP©No.35805/2016, W.P.(C)No.996/2016,997/2016,  
 T.P.(C)No.1958-1967/2016 & T.P.(C)No.1982-1996/2016, W.P.(C)  
 Nos. 1006/2016, 1008/2016, 1009/2016, 1010/2016, 1011/2016  
 and SLP(C) No. 36757/2016

**ORDER**

Writ Petitions are admitted.

Issue notice on the Writ Petitions, special leave petitions and other applications. The respondents may file reply affidavit within six weeks. Rejoinder, if any, within three weeks thereafter.

We have heard the learned counsel for the parties at some length. In our opinion, the following important questions fall for our consideration in this batch of petitions:

- (i) Whether the notification dated 8<sup>th</sup> November 2016 is ultra vires Section 26(2) and Sections 7,17,23,24,29 and 42 of the Reserve Bank of India Act, 1934;
- (ii) Does the notification contravene the provisions of Article 300(A) of the Constitution;
- (iii) Assuming that the notification has been validly issued under the Reserve Bank of India Act, 1934 whether it is ultra vires Articles 14 and 19 of the Constitution;
- (iv) Whether the limit on withdrawal of cash from the funds deposited in bank accounts has no basis in law and violates Articles 14,19 and 21;
- (v) Whether the implementation of the impugned notification(s) suffers from procedural and/or substantive unreasonableness and thereby violates Articles 14 and 19 and, if so, to what effect?
- (vi) In the event that Section 26(2) is held to permit demonetization, does it suffer from excessive delegation of legislative power thereby rendering it ultra vires the Constitution;
- (vii) What is the scope of judicial review in matters relating to fiscal and economic policy of the Government;
- (viii) Whether a petition by a political party on the issues raised is maintainable under Article 32; and
- (ix) Whether District Co-operative Banks have been discriminated against by excluding them from accepting deposits and exchanging demonetized notes.

Keeping in view the general public importance and the far reaching implications which the answers to the questions may have, we consider it proper to direct that the matters be placed before the larger Bench of five Judges for an authoritative pronouncement. The Registry shall accordingly place the papers before Hon'ble the Chief Justice for constituting an appropriate Bench.

We may now advert to the issues which are of immediate concern. The first issue is about the restriction placed on the District Cooperative Banks to accept deposits or exchange of demonetized currency of Rs.500/- and Rs.1000/-. Two broad aspects have been presented before us. The first is about the complete exclusion of the District Cooperative Banks from accepting deposits or exchanging demonetized notes. The second is about the avoidable financial stress on the District Cooperative Banks because of freezing the deposited demonetized notes received by the District Cooperative Banks between 11<sup>th</sup> and 14<sup>th</sup> November 2016, which is stated to be around Rs.8000/-Crore (Rupees Eight Thousand Crore).

The first point whether the decision of the Authority to forbid the District Cooperative Banks from accepting deposits and exchanging demonetized notes, may require detailed hearing. It is only upon acceptance of challenge to that decision, that the bar placed on the District Cooperative Banks can be lifted. We are not inclined to suspend that bar as an interim measure. This is especially when the decision is the outcome of financial policy

which the respondents claim to have adopted on the basis of experience. In particular, an apprehension has been expressed about the possibility of demonetized notes being converted or exchanged without proper audit, control or supervision. The District Cooperative Banks, it has been urged, are not directly under the control of the Reserve Bank of India but within the purview of NABARD. The dispensation provided by NABARD is, according to the Attorney General, not in conformity with the strict regime provided under the provisions of Banking Regulation Act, 1949 and the Reserve Bank of India Act, 1934.

Reverting to the second aspect, of District Cooperative Banks being precluded from utilizing the demonetized notes deposited with them between 11<sup>th</sup> to 14<sup>th</sup> November 2016 (when it was so permitted by the Reserve bank of India), the learned Attorney General has invited our attention to the written instructions received by him from the Under Secretary to the Government of India dated 14<sup>th</sup> December 2016. The relevant extract of the said letter reads thus:

“In this regard, it is to inform that as regards the deposits of Specified Bank Notes (SBNs) collected by DCCBs, the RBI has recommended

that the SBNs collected by the DCCBs between 10<sup>th</sup> and 14<sup>th</sup> November 2016 may be exchanged with their linked currency chests after a 100% audit of the veracity of the KYC documents of the SBN depositing customers of DCCB is conducted by NABARD, the supervisor and to the extent of such verified SBNs only. For SBNs deposited by Primary Agricultural Credit Societies (PACS) also, similar 100% audit of the KYC documents of the members of the PACS should be conducted by NABARD and to the extent of such verified SBNs only, exchange value will be given by the linked currency chest. In either case, the linked currency chest will subject those SBNs to usual checks, especially relating to finding out FICN.”

For that purpose, suitable Notification can be issued by the Competent Authority within two days. We commend to the Competent Authority to do so.

Learned counsel for the District Cooperative Banks, however, submitted that the Reserve Bank of India must assure that the entire amount offered by the District Cooperative Banks for exchange after due verification in the form of demonetized notes,

will be duly replaced by commensurate amount of legal tender notes contemporaneously. The learned Attorney General on instructions submitted that the policy of replacement of legal tender notes as applicable to Public Sector Banks and other Banks will be applied even in the case of District Cooperative Banks for exchange of demonetized currency with the legal tender currency. We accept the assurance given by the learned Attorney General in this behalf.

The other broad point was about extending the time limit for exemption for use of demonetized currency notes of Rs.500/- and Rs.1000/- at specified counters as per the relevant Notifications issued in that behalf by the Reserve Bank of India. It was contended that the exemption period provided in the concerned notification is expiring. Hence, it will not be possible to deposit the demonetized notes at specified counters thereafter, even in case of emergency situation like hospitalization, travel by Railway or Air etc. In our

opinion, whether the exemption period should be extended or not,

must be best left to the judgment of the Government of the day with

a hope that the Government will be responsive and sensitive to the

problems encountered by the common man. Accordingly, we decline



to issue any interim direction to the Government in the matter of extending the period of exemption and leave it open to the Government to take appropriate decision in that behalf, as may be advised.

The other serious grievance made by the petitioners is about the denial of right to withdraw the prescribed amount of Rs.24,000/- per week per account holder, in spite of Notification issued by the Reserve Bank of India permitting such withdrawal. It was submitted that if the Government has issued such Notification after due consideration, it is obliged to ensure that its commitment made under the said Notification is implemented without any exception. The ground reality, however, contends learned counsel, is that the Banks are refusing to pay full amount of Rs.24,000/- per account holder per week on the ground of non-availability of enough volume of legal tender currency. According to the learned Attorney General, the Government has already made it amply clear that it would take around 50 days time to streamline the cash flow. That period is still not exhausted. He submits that as of now the Reserve Bank of India has been able to infuse around

Rs.5,00,000/-Crore (Five Lakh Crore) of the new legal tender notes in the form of Rs.500/- and Rs.2,000/-. That is almost over 40% of the amount of demonetized notes already deposited with the Banks. Further, the Authorities are working to the best of their ability to defuse the crisis of cash flow situation by printing new notes. It is further submitted that for the nature of decision taken by the Government - to unearth the black money or unaccounted money and to dry up the terror fund and defeat the attempt of circulation of large scale counterfeit currency, maintaining complete secrecy of such a decision was imperative. For that reason, new currency notes could not be printed well in advance. He submits that the old demonetized notes will be replaced by new legal tender notes in the form of Rs.500/- and Rs.2000/- progressively in right earnest. Considering the stand taken by the learned Attorney General, we may commend to the Authorities to fulfill their commitment made in terms of the stated Notification permitting withdrawal of Rs.24,000/- per account holder of the Bank per week to the extent possible and review that decision periodically and take necessary corrective measures in that behalf.

In our opinion, besides the observations made hitherto, no other direction can be given at this stage by way of an interim relief.

That takes us to the Transfer Petitions filed by the Union of India for withdrawing all Writ Petitions/proceedings pending in the various High Courts across the country and to hear those cases along with the Writ Petitions pending in this Court. In our opinion, it would be just and proper to withdraw all the Writ Petitions/proceedings pending in different High Courts across the country and to be heard by this Court along with the Writ Petitions which are already pending in this Court raising same or similar issues, to avoid multiplicity of hearing and conflicting decisions on the same subject matter. Accordingly, we issue notice in the respective Transfer Petitions and by way of interim direction, stay the further proceedings of the Writ Petitions/proceedings in the concerned High Court.

We further direct that if any other Writ Petitions/proceedings are pending in any High Court, further hearing of those matters shall also remain stayed in terms of this order.

We further direct that no other Court shall entertain, hear or

decide any Writ Petition/proceedings on the issue or in relation to or arising from the decision of the Government of India to demonetize the old notes of Rs.500/- and Rs.1000/-, as the entire issue in relation thereto is pending consideration before this Court in the present proceedings.

We make it clear that petitioners before the High Court(s) or any other Court in India in respect of proceedings already instituted on the subject matter under consideration before this Court, will be free to intervene in the Writ Petitions pending consideration before this Court on the subject matter of demonetization of old currency notes of Rs.500/- and Rs.1000/-, if so advised.

The Registry shall place the matter before the Chief Justice for further orders.

.....CJI.

.....J.  
(A.M.Khanwilkar)

.....J.  
(Dr.D.Y.Chandrachud)

New Delhi,  
Dated: 16<sup>th</sup> December, 2016

ITEM NO.9 + 10 + 13

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) (C) No.906/2016

VIVEK NARAYAN SHARMA

Petitioner(s)

VERSUS

UNION OF INDIA

Respondent(s)

WITH

W.P. (C) No. 908/2016

With appln. (s) for permission to appear and argue in person and Office Report)

W.P. (C) No.913/2016

(With appln. (s) for directions and Office Report)

W.P. (C) No.916/2016

(With appln. (s) for intervention, impleadment as petitioner and appln. (s) for stay and Office Report)

W.P. (C) D.37946/2016

(With Office Report)

W.P. (C) No.929/2016

(With Office Report)

W.P. (C) No.930/2016

(With appln. (s) for exemption from filing O.T. and appln. (s) for stay and Office Report)

W.P. (C) No.943/2016

(With appln. (s) for permission to place addl. documents on record and appln. (s) for directions and appln. (s) for permission to appear and argue in person and Office Report)

W.P. (Crl.) No.162/2016

(With appln. (s) for permission to appear and argue in person and appln. (s) for directions and Office Report)

W.P. (C) No.951/2016

(With Office Report)

Digitally signed by  
ASHOK RAJ SINGH  
Date: 2016.02.19  
14:10:41 IST  
Reason: W

W.P. (C) No.952/2016

(With appln. (s) for intervention and Office Report)

W.P. (C) No.953/2016

(With Office Report)

W.P. (C) No.954/2016

(With appln. (s) for interim relief and appln. (s) for permission to appear and argue in person and Office Report)

W.P. (C) No.958/2016

(With appln. (s) for ex-parte stay and Office Report)

W.P. (C) No.957/2016

(With appln. (s) for ex-parte stay and Office Report)

T.P. (C) No.2018-2022/2016

(With appln. (s) for ex-parte stay and Office Report)

W.P. (C) No.971/2016

(With appln. (s) for ex-parte stay and Office Report)

W.P. (C) No.972/2016

(With Office Report)

SLP (C) No.35356/2016

(With appln. (s) for exemption from filing c/c of the impugned judgment and Interim Relief and Office Report)

T.P. (C) No.2030-2038/2016

(With appln. (s) for stay and Office Report)

W.P. (C) No.978/2016

(With appln. (s) for stay and Office Report)

W.P. (C) D.No.40114/2016

(With Office Report)

W.P. (C) No.944/2016

(With Office Report)

SLP (C) No.35805/2016

(With appln. (s) for exemption from filing c/c of the impugned judgment and Interim Relief and Office Report)

W.P. (C) No.996/2016

(With appln. (s) for stay and Office Report)

W.P. (C) No.997/2016

(With appln. (s) for exemption from filing O.T. and appln. (s) for stay and Office Report)

T.P. (C) No.1958-1967/2016

(With appln. (s) for clarification of court's order dt.23.11.2016 and intervention and stay and office report)

T.P. (C) No.1982-1996/2016

(With appln(s) for permission to appear and argue in person and stay)

W.P.(C) No.1006/2016

(With appln.(s) for interim directions and office report)

W.P.(C) No.1008/2016

(With office report)

W.P.(C) No.1009/2016

(With office report)

W.P.(C) No.1010/2016

(With office report)

W.P.(C) No.1011/2016

(With office report)

S.L.P.(C) No.36757/2016

(With appln.(s) for exemption from filing c/c of the impugned judgment and interim relief and office report)

Date : 15/12/2016 These petitions were 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)

Petitioner-in-person

Mr. Kapil Sibal, Sr. Adv.

Mr. Salman Khurshid, Sr. Adv.

Mr. Vivek Narayan Sharma, Adv.

Ms. Kamini Jaiswal, Adv.

Mr. Sidharth Mahajan, Adv.

Mr. Rajeev Kumar Jha, Adv.

Ms. Nikita Singh, Adv.

Ms. Ankita Singh, Adv.

Mr. Talha Abdul Rehman, Adv.

Mr. Jatinder Pal Singh, Adv.

Mr. Shumaila Altaf, Adv.

Mr. Gaurav Gosh, Adv.

Mr. Santi Ranjan Das, Adv.

Mr. Anindo Mukherjee, Adv.

Mrs. Sarla Chandra, Adv.

Mr. Tripurari Ray, Adv.

Mr. Asad Alvi, Adv.

Ms. Saba Asad Alvi, Adv.  
 Mr. D.Vidyanandam, Adv.  
 Mr. Zaki Ahmed Khan, Adv.  
 Ms. Satya Mitra, Adv.

Mr. Manoj Prasad, Adv.  
 Mr. Ashutosh Dubey, Adv.  
 Mr. Harshul Singh, Adv.  
 Mr. Kritika Khurana, Adv.  
 Mr. Ankur Prakash, Adv.

Mr. Karuna Nundy, Adv.  
 Mr. T.R.B. Sivakumar, Adv.  
 Ms. Adeeba Mujahid, Adv.  
 Mr. Jabbar Shaikh, Adv.

(IA No.4/2016)

Ms. Pratiksha Sharma, Adv.  
 Mr. Kunal Kanungo, Adv.

(Noida Lok Manch)

Mr. Amit Khemka, Adv.  
 Mr. Sunil Kumar Gupta, Adv.  
 Mr. Ankur Prakash, Adv.  
 Mr. Rishi Sehgal, Adv.  
 Mr. Varchana Taneja, Adv.

Mr. Viprav Sharma, Adv.

Mr. Dhaval Deshpanda, Adv.  
 Ms. Aparna Jha, Adv.

Mr. C.R. Jaya Sukin, Adv.  
 Ms. Niharika Dudeja, Adv.  
 Ms. Sonu Lohia, Adv.  
 Mr. A. Arockia Raj, Adv.

Mr. B.H. Marlapalle, Sr. Adv.  
 Mr. Ajit Wagh, Adv.  
 Mr. Aditya Gaggar, Adv.  
 Mr. Yogesh Abhinav, Adv.  
 Ms. Manju Jetley, Adv.

Mr. Shariq Ahmed, Adv.  
 Mr. Amit Kishore Sinha, Adv.  
 Mr. Sunil Kumar Verma, Adv.

Mr. R.D. Upadhyay, Adv.  
 Mr. Mohd. Shahid Hussain, Adv.

Mr. Z.U. Khan, Adv.  
 Mr. H.S. Saran, Adv.



(WP(C)No.958/16)

Mr. V.Giri, Sr. Adv.  
Mr. M.T. George, Adv.  
Ms. Kavitha K.T., Adv.

(WP(C)No.957/16)

Mr. Kapil Sibal, Sr. Adv.  
Mr. M.T. George, Adv.  
Ms. Kavitha K.T., Adv.

(IA No.6/2016  
For intervention)

Mr. Imtiaz Ahmed, Adv.  
Mrs. Naghma Imtiaz, Adv.  
Mr. Ahmed Zargham, Adv.  
Mr. Adil Singh Boparai, Adv.  
Ms. Roshni W. Anand, Adv.  
Ms. Azra Rehman, Adv.  
M/s Equity Lex Associates.

Mr. Kislav Panday, Adv.  
Mr. Ankur Gogia,

Mr. Basant R., Sr. Adv.  
Mr. Arjun Singh Bhati, Adv.  
Ms. Liz Mathew, Adv.

Mr. Izhar Alam, Adv.  
Mr. Vijendra Kasana, Adv.  
Mr. R.D. Upadhyay, Adv.  
Ms. Kamini Jaiswal, Adv.

Ms. Niharika Dudeja, Adv.  
Ms. Sadhna Kumar, Adv.  
Ms. Sonu Lohiya, Adv.  
Mr. Sunil Kumar Verma, Adv.

Mr. M.P. Parthiban, Adv.  
Mr. T.R.B. Sivakumar, Adv.

Mr. Mathews J. Nedumpara, Adv.  
Mr. A.K. De, Adv.

(TP(C)No.1958/16)

Mr. Saurabh Kirpal, Adv.  
Mr. Nikhil Rohatgi, Adv.  
Mrs. Anil Katiyar, Adv.

Mr. A.C. Philip, Adv.

Mr. A.D. Tamboli, Adv.  
Mr. S. Gowthaman, Adv.

Mr. Varun Punia, Adv.

Mr. P.V. Dinesh, Adv.

Mr. Ajit Sharma, Adv.

Mr. Alok Shukla, Adv.

Mr. M.V. Holamagi, Adv.

For Respondent (s)

Mr. Mukul Rohatgi, AG  
 Mr. Tushar Mehta, ASG  
 Mr. Maninder Singh, ASG  
 Mr. ANS Nandkarni, ASG  
 Mr. R. Balasubramanian, Adv.  
 Ms. Rekha Pandey, Adv.  
 Mr. Ajay Sharma, Adv.  
 Ms. Movita, Adv.  
 Mr. Santosh Kumar, Adv.  
 Ms. Diksha Rai, Adv.  
 Ms. Akhila, Adv.  
 Mr. Prabhas Bajaj, Adv.  
 Mr. Akshay Amritanshu, Adv.  
 Mrs. Anil Katiyar, Adv.  
 Mr. Devashish Bharuka, Adv.

Mr. Vikas Mehta, Adv.  
 Ms. Anushree Menon, Adv.  
 Mr. Rajat, Adv.

Mr. Sourabh Kirpal, Adv.  
 Mr. Nikhil Rohatgi, Adv.  
 Mrs. Anil Katiyar, Adv.

Mr. P.V. Surendranath, Sr. Adv.  
 Mr. N.R. Shonker, Adv.  
 Ms. Resmitha R. Chandran, Adv.

Mr. Jaideep Gupta, Sr. Adv.  
 Mr. Kuldeep S. Parihar, Adv.  
 Mr. H.S. Parihar, Adv.

(TP(C) No. 1982-96  
 Of 2016)

Mr. Basava Prabhu Paul, Adv.  
 Mr. Satyajit Desai, Adv.  
 Mr. Akash Kakade, Adv.  
 Ms. Anagha S. Desai, Adv.

(TP(C) No. 1958-67  
 Of 2016)

Mr. Vivek Narayan Sharma, Adv.  
 Mr. Sidharth Mahajan, Adv.  
 Mr. Rajeev Kumar Jha, Adv.  
 Ms. Nikita Singh, Adv.  
 Ms. Ankita Singh, Adv.

Mr. V.K. Biju, Adv.  
 Ms. Ria Sachthey, Adv.

Mr. P.V. Krishnaiah, Adv.  
 Mr. Aditya Kumar, Adv.  
 Mr. Praveen Kumar Pandey, Adv.  
 Mr. C.S.N.M. Rao, Adv.

Mr. Arvind V. Savant, Sr. Adv.  
 Mr. Sanjay Kharde, Adv.  
 Mr. Sunil Kumar Verma, Adv.

(TP(C)No.1958-67/16) Mr. M.P. Vinod, Adv.  
 Mr. Dileep Pillai, Adv.  
 Mr. Ajay Kr. Jain, Adv.  
 Mr. Atul S. Vinod, Adv.

Mr. Vibhakar Mishra, Adv.  
 Mr. Nischal Kumar Neeraj, Adv.  
 Mr. Umesh P. Wadhvani, Adv.

(TP(C)No.1958-1967  
 Of 2016) Mr. P.V. Surendranath, Sr. Adv.  
 Mr. V.K. Sidharthan, Adv.  
 Ms. Resmitha R. Chandran, Adv.

Mr. Satbir Singh Pillania, Adv.  
 Mr. Satish Kumar, Adv.

Mr. M.P. Parthiban, Adv.

Mr. H.S. Parihar, Adv.

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

Heard learned counsel for the parties.

Arguments concluded.

Judgment is reserved.

(Ashok Raj Singh)  
 Court Master

(Veena Khera)  
 Court Master

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 SItem No.26 :

Writ Petition (C) No.906/2016

VIVEK NARAYAN SHARMA

Petitioner(s)

VERSUS

UNION OF INDIA

Respondent(s)

(With appln.(s) for interim relief, permission to appear and argue in person, impleadment as petitioner &amp; intervention and office report)

WITH

W.P. (C) No.908/2016

(With appln.(s) for permission to appear and argue in person and Office Report)

W.P. (C) No.913/2016

(With appln.(s) for directions and Office Report)

W.P. (C) No.916/2016

(With appln.(s) for intervention, impleadment as petitioner and stay and Office Report)

W.P. (C) No...../2016 (D.No.37946/2016)

(With Office Report)

W.P. (C) No.929/2016

(With Office Report)

W.P. (C) No.930/2016

(With appln.(s) for exemption from filing O.T. and stay and Office Report)

W.P. (C) No.943/2016

(With appln.(s) for permission to place addl. documents on record, directions and permission to appear and argue in person and Office Report)

W.P. (CrI.) No.162/2016

(With appln.(s) for permission to appear and argue in person directions and Office Report)

Signature Not Verified

Digitally signed by  
SARITA PUGCHIT  
Date: 2016.12.10  
14:01:15 IST

W.P. (C) No.951/2016

(With Office Report)

W.P. (C)No.952/2016  
(With appln.(s) for intervention and Office Report)

W.P. (C)No.953/2016  
(With Office Report)

W.P. (C)No.954/2016  
(With appln.(s) for permission to appear and argue in person  
and interim relief and Office Report)

W.P. (C)No.958/2016  
(With appln.(s) for ex-parte stay and Office Report)

W.P. (C)No.957/2016  
(With appln.(s) for ex-parte stay and Office Report)

T.P. (C)Nos.2018-2022/2016  
(With appln.(s) for ex-parte stay and Office Report)

W.P. (C) No. 971/2016  
(With appln.(s) for ex-parte stay and Office Report)

W.P. (C)No.972/2016  
(With Office Report)

SLP(C)No.35356/2016  
(With appln.(s) for exemption from filing c/c of the  
impugned judgment and Interim Relief and Office Report)

T.P. (C)Nos.2030-2038/2016  
(With appln.(s) for stay and Office Report)

W.P. (C)No.978/2016  
(With appln.(s) for stay and Office Report)

W.P. (C)No...../2016 (D.No.40114/2016)  
(With Office Report)

W.P. (C)No.944/2016  
(With Office Report)

Item No.29 :

SLP(C)No.35805/2016  
(With appln.(s) for exemption from filing c/c of the  
impugned judgment and interim relief and office report)

WITH

W.P. (C)No.996/2016  
(With appln. for stay and office report)

W.P. (C) No. 997/2016

(With appln. (s) for exemption from filing O.T. and stay and office report)

Date : 09/12/2016 These petitions were 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) In-person

Mr. Viplav Sharma, In-person

Mr. Manohar Lal Sharma, In-person

Mr. V. Giri, Sr. Adv.

Mr. M.T. George, Adv.

Ms. Kavitha K.T., Adv.

Mr. Kapil Sibal, Sr. Adv.

Mr. M.T. George, Adv.

Ms. Kavitha K.T., Adv.

Mr. Kapil Sibal, Sr. Adv.

Ms. Kamini Jaiswal, Adv.

Mr. Abdul T. Rehman, Adv.

Ms. Shumaila Altaf, Adv.

Mr. Gaurav Ghosh, Adv.

Mr. Jatinderpal Singh, Adv.

Mr. B.H. Marlapalle, Sr. Adv.

Mr. Aditya Gaggar, Adv.

Mr. Ajit Wagh, Adv.

Mr. Kislav Panday, Adv.

Mr. Ankur Gogia, Adv.

For Ms. Manju Jetley, Adv.

Mr. G. Basanth, Sr. Adv.

Mr. Kritij Kumar, Adv.

For Ms. Liz Mathew, Adv.

Mr. R.D. Upadhyay, Adv.

Mr. Mohd. Shahid Hussain, Adv.

Mr. M.P. Parthiban, Adv.

For Mr. T.R.B. Sivakumar, Adv.

Ms. Sadhna Kumar, Adv.  
Mr. Shariq Ahmed, Adv.  
Mr. Amit Kishore Sinha, Adv.  
Ms. Niharika Dudeja, Adv.  
Mr. Sonu Lohiya, Adv.  
For Mr. Sunil Kumar Verma, Adv.

Mr. Tripurari Ray, Adv.  
Mr. Asad Alvi, Adv.  
Mr. D. Vidyanandan, Adv.  
Mr. Sasa Asad Ali, Adv.  
Mr. Satya Mitra, Adv.

Mr. Manoj Prasad, Adv.  
Mr. Ankur Prakash, Adv.  
Mr. Harshul Singh, Adv.  
Ms. Kritika Khurana, Adv.  
Ms. Jennifer James, Adv.

Mr. Amit Khemka, Adv.  
Mr. Ankur Prakash, Adv.  
Mr. Rishi Sehgal, Adv.  
Ms. Varchana Taneja, Adv.

Mr. C.R. Jaya Sokin, Adv.  
Mr. Saurav Arora, Adv.  
Mr. D.P. Singh Yadav, Adv.  
Mr. Varun Punia, Adv.

Ms. Aparna Jha, Adv.  
Mr. P.V. Dinesh, Adv.  
Mr. Ajit Sharma, Adv.  
Mr. Alok Shukla, Adv.

For Respondent(s)

Mr. Mukul Rohtagi, AG  
Mr. Tushar Mehta, ASG  
Mr. Maninder Singh, ASG  
Mr. Saurabh Kirpal, Adv.  
Mr. Ajay Sharma, Adv.  
Mrs. Anil Katiyar, Adv.  
Mr. Nikhil Rohatgi, Adv.  
Ms. Diksha Rai, Adv.  
Mr. S. Acharya, Adv.  
Mr. Bala Subramaniam, Adv.  
Ms. Rekha Pandey, Adv.  
Ms. Movita, Adv.  
Ms. Akhila J., Adv.

Mr. Kapil Sibal, Sr. Adv.  
Mr. Salman Khurshid, Sr. Adv.  
Mr. Vivek Narayan Sharma, Adv.  
Mr. Rajeev Kumar Jha, Adv.  
Mr. Sidharth Mahajan, Adv.  
Ms. Nikita Singh, Adv.  
Ms. Ankita Singh, Adv.  
Mr. Sandeep Lamba, Adv.

Mr. Salman Khurshid, Sr. Adv.  
Mr. Intiaz Ahmed, Adv.  
Ms. Naghma Intiaz, Adv.  
Mr. Ahmed Zargham, Adv.  
Mr. Adil Singh Boparai, Adv.  
For M/s. Equity Lex Associates, Adv.

Mr. P.V. Surendranath, Sr. Adv.  
Mr. N.R. Shonker, Adv.  
Ms. Resmitha R. Chandran, Adv.

Mr. Santi Ranjan Das, Adv.  
Mr. Anindo Mukherjee, Adv.  
For Ms. Sarla Chandra, Adv.

Mr. Kuldeep S. Parihar, Adv.  
Mr. H.S. Parihar, Adv.

Mr. Kunal Kanungo, Adv.  
Ms. Pratiksha Sharma, Adv.

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

List the matters on 15<sup>th</sup> December, 2016, at 2.00  
p.m.

(Sarita Purohit)  
Court Master

(Suman Jain)  
Court Master



ITEM NO.15 + 26

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(Civil) No.906/2016

VIVEK NARAYAN SHARMA

Petitioner(s)

VERSUS

UNION OF INDIA

Respondent(s)

WITH

W.P.(C) No.908/2016

(With appln.(s) for permission to appear and argue in person and Office Report)

W.P.(C) No.913/2016

(With appln.(s) for directions and Office Report)

W.P.(C) No.916/2016

(With (With (With (With appln.(s) for intervention and appln.(s) for impleadment as petitioner and appln.(s) for stay and Office Report)

W.P.(C) D.37946/2016

(With Office Report)

W.P.(Crl.) No.162/2016

(with appln.(s) for directions and permission to appear and argue in person and office report)

W.P.(C) No.951/2016

(With Office Report)

W.P.(C) No.952/2016

(With appln.(s) for intervention and office report)

W.P.(C) No.929/2016

(With office report)

W.P.(C) No.930/2016

(With appln. (s) for exemption from filing O.T. and stay and office report)

W.P.(C) No.943/2016

(With appln.(s) for directions and permission to appear and argue in person and office report)

Signature Not Verified  
Digitally signed by  
ASHOK RAJ SINGH  
Date: 2016.11.21  
12:32:58 IST  
Reason: —

W.P.(C) No.953/2016

(With Office Report)

W.P.(C) No.954/2016

(With appln.(s) for interim relief and permission to appear and argue in person and office report)

Date : 25/11/2016 These petitions were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE DR. JUSTICE D.Y. CHANDRACHUD

For Petitioner(s)

(WP(C) No.906/2015)

Mr. Kapil Sibal, Sr. Adv.  
Mr. Salman Khurshid, Sr. Adv.  
Mr. Vivek Narayan Sharma, Adv.  
Mr. Imtiaz Ahmed, Adv.  
Mr. Aadil Singh Boparaj, Adv.  
Mr. Ahmed Zorgham, Adv.  
Mr. Sidharth Mahajan, Adv.  
Ms. Nikita Singh, Adv.  
Ms. Ankita Singh, Adv.  
Mr. Rajeev Kumar Jha, Adv.  
Mr. Sandeep Lamba, Adv.  
Mr. V.K. Biju, Adv.  
Ms. Kamini Jaiswal, Adv.  
Mr. Gaurav Ghose, Adv.  
Ms. Anusha, Adv.  
Mr. Talhar, Adv.

Mr. Ram Jethmalani, Sr. Adv.  
Mr. S.R. Hegde, Sr. Adv.  
Mr. P.V. Dinesh, Adv.  
Ms. Sindhu T.P., Adv.  
Mr. Bineesh K., Adv.  
Mr. Rajesh P., Adv.  
Mr. Rajendra Beniwal, Adv.  
Ms. Arushi Singh, Adv.

(IA No.3-5)

Dr. Jagendra Jadeja (In person)

Mr. Varun Punia, Adv.  
Mr. V.K. Biju, Adv.  
Mr. Sunil Kumar Verma, Adv.

Mr. Santi Ranjan Das, Adv.  
Mr. Anindo Mukherjee, Adv.  
Mrs. Sarla Chandra, Adv.

Mr. Manoj Prasad, Adv.  
Mr. Ashutosh Dubey, Adv.  
Mr. Harshul Singh, Adv.  
Ms. Kritika Khurana, Adv.  
Mr. Ankur Prakash, Adv.

Mr. Sangam Lal Pandey, Adv.

Mr. C.R. Jaya Sukin, Adv.

Mr. Saurav Arora, Adv.

Mr. Varun Punia, Adv.

(For Intervenor)

Mr. Kunal Kanungo, Adv.

Ms. Pratiksha Sharma, Adv.

Mr. Tripurari Ray, Adv.

Mr. Asad Alvi, Adv.

Mr. D.Vidynandan, Adv.

Mr. Faiz Rizvi, Adv.

Ms. Aishwarya Pathak, Adv.

Mr. Satya Mitra, Adv.

Mr. Manohar Lal Sharma, Adv.

Ms. Suman, Adv.

(For Intervenor)

Mr. P.V. Surendranath, Sr. Adv.

Ms. Nishe Rajen Shonker, Adv.

Ms. Resmitha R. Chandran, Adv.

Mr. Viplav Sharma, Adv.

Dr. Dhaval Deshpande, Adv.

Mr. Tapan Thatte, Adv.

Ms. Aparna Jha, Adv.

Mr. M.P. Parthiban, Adv.

Mr. T.R.B. Sivakumar, Adv.

For Respondent(s)

Mr. Mukul Rohatgi, AG

Mr. Tushar Mehta, ASG

Mr. A.N.S. Nadmarni, ASG

Mr. Devashish Bharuka, Adv.

Mr. R. Balasubramaniam, Adv.

Ms. Rekha Pandey, Adv.

Ms. Diksha Rai, Adv.

Mr. Nikhil Rohatgi, Adv.

Mr. Ajay Sharma, Adv.

Mr. A. Prabhudesai, Adv.

Mr. S.S. Rebello, Adv.

Mrs. Anil Katiyar, Adv.

Ms. Aarti Sharma, Adv.

Mr. Santosh Kumar, Adv.

Mr. Saurabh Kirpal, Adv.

Ms. Sadhna Kumar, Adv.

Mr. S. Ahmed, Adv.

Mr. Tariq Ahmead, Adv.

Mr. Sunil Kumar Verma, Adv.

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

Mr. Mukul Rohatgi, learned Attorney General has filed an affidavit explaining the scheme introduced by the Government of India and steps taken by it. He is also free to file counter affidavit to the writ petitions by Friday, 2<sup>nd</sup> December, 2016. Mr. Kapil Sibal, learned senior counsel appearing on behalf of one of the petitioners' submits that he does not propose to file any response to the affidavit already filed but reserves his right to file rejoinder affidavit to the counter affidavit, if any. He is free to do so.

List these matters again along with other similar/connected matters on Friday, 2<sup>nd</sup> December, 2016 at 2.00 p.m.

(Ashok Raj Singh)  
Court Master

(Veena Khara)  
Court Master

ITEM NO.15 + 26

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

RECORD OF PROCEEDINGS

Writ Petition(Civil) No.906/2016

VIVEK NARAYAN SHARMA

Petitioner(s)

VERSUS

UNION OF INDIA

Respondent(s)

WITH

W.P.(C) No.908/2016

(With appln.(s) for permission to appear and argue in person and Office Report)

W.P.(C) No.913/2016

(With appln.(s) for directions and Office Report)

W.P.(C) No.916/2016

(With (With (With (With appln.(s) for intervention and appln.(s) for impleadment as petitioner and appln.(s) for stay and Office Report)

W.P.(C) D.37946/2016

(With Office Report)

W.P.(Crl.) No.162/2016

(with appln.(s) for directions and permission to appear and argue in person and office report)

W.P.(C) No.951/2016

(With Office Report)

W.P.(C) No.952/2016

(With appln.(s) for intervention and office report)

W.P.(C) No.929/2016

(With office report)

W.P.(C) No.930/2016

(With appln.(s) for exemption from filing O.T. and stay and office report)

W.P.(C) No.943/2016

(With appln.(s) for directions and permission to appear and argue in person and office report)

Signature Not Verified  
 Digitally signed by  
 ASHOK RAJ SINGH  
 Date: 2016.12.12  
 12:32:58 IST  
 Reason: —

W.P.(C) No.953/2016

(With Office Report)

W.P. (C) No.954/2016

(With appln.(s) for interim relief and permission to appear and argue in person and office report)

Date : 25/11/2016 These petitions were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE DR. JUSTICE D.Y. CHANDRACHUD

For Petitioner(s)

(WP(C) No.906/2015) Mr. Kapil Sibal, Sr. Adv.  
Mr. Salman Khurshid, Sr. Adv.  
Mr. Vivek Narayan Sharma, Adv.  
Mr. Imtiaz Ahmed, Adv.  
Mr. Aadil Singh Boparaj, Adv.  
Mr. Ahmed Zorgham, Adv.  
Mr. Sidharth Mahajan, Adv.  
Ms. Nikita Singh, Adv.  
Ms. Ankita Singh, Adv.  
Mr. Rajeev Kumar Jha, Adv.  
Mr. Sandeep Lamba, Adv.  
Mr. V.K. Biju, Adv.  
Ms. Kamini Jaiswal, Adv.  
Mr. Gaurav Ghose, Adv.  
Ms. Anusha, Adv.  
Mr. Talhar, Adv.

Mr. Ram Jethmalani, Sr. Adv.  
Mr. S.R. Hegde, Sr. Adv.  
Mr. P.V. Dinesh, Adv.  
Ms. Sindhu T.P., Adv.  
Mr. Bineesh K., Adv.  
Mr. Rajesh P., Adv.  
Mr. Rajendra Beniwal, Adv.  
Ms. Arushi Singh, Adv.

(IA No.3-5)

Dr. Jagendra Jadeja (In person)

Mr. Varun Punia, Adv.  
Mr. V.K. Biju, Adv.  
Mr. Sunil Kumar Verma, Adv.

Mr. Santi Ranjan Das, Adv.  
Mr. Anindo Mukherjee, Adv.  
Mrs. Sarla Chandra, Adv.

Mr. Manoj Prasad, Adv.  
Mr. Ashutosh Dubey, Adv.  
Mr. Harshul Singh, Adv.  
Ms. Kritika Khurana, Adv.  
Mr. Ankur Prakash, Adv.

Mr. Sangam Lal Pandey, Adv.

Mr. C.R. Jaya Sukin, Adv.

Mr. Saurav Arora, Adv.

Mr. Varun Punia, Adv.

(For Intervenor)

Mr. Kunal Kanungo, Adv.

Ms. Pratiksha Sharma, Adv.

Mr. Tripurari Ray, Adv.

Mr. Asad Alvi, Adv.

Mr. D.Vidynandan, Adv.

Mr. Faiz Rizvi, Adv.

Ms. Aishwarya Pathak, Adv.

Mr. Satya Mitra, Adv.

Mr. Manohar Lal Sharma, Adv.

Ms. Suman, Adv.

(For Intervenor)

Mr. P.V. Surendranath, Sr. Adv.

Ms. Nishe Rajen Shonker, Adv.

Ms. Resmitha R. Chandran, Adv.

Mr. Viplav Sharma, Adv.

Dr. Dhaval Deshpande, Adv.

Mr. Tapan Thatte, Adv.

Ms. Aparna Jha, Adv.

Mr. M.P. Parthiban, Adv.

Mr. T.R.B. Sivakumar, Adv.

For Respondent(s)

Mr. Mukul Rohatgi, AG

Mr. Tushar Mehta, ASG

Mr. A.N.S. Nadmarni, ASG

Mr. Devashish Bharuka, Adv.

Mr. R. Balasubramaniam, Adv.

Ms. Rekha Pandey, Adv.

Ms. Diksha Rai, Adv.

Mr. Nikhil Rohatgi, Adv.

Mr. Ajay Sharma, Adv.

Mr. A. Prabhudesai, Adv.

Mr. S.S. Rebello, Adv.

Mrs. Anil Katiyar, Adv.

Ms. Aarti Sharma, Adv.

Mr. Santosh Kumar, Adv.

Mr. Saurabh Kirpal, Adv.

Ms. Sadhna Kumar, Adv.

Mr. S. Ahmed, Adv.

Mr. Tariq Ahmead, Adv.

Mr. Sunil Kumar Verma, Adv.

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

Mr. Mukul Rohatgi, learned Attorney General has filed an affidavit explaining the scheme introduced by the Government of India and steps taken by it. He is also free to file counter affidavit to the writ petitions by Friday, 2<sup>nd</sup> December, 2016. Mr. Kapil Sibal, learned senior counsel appearing on behalf of one of the petitioners' submits that he does not propose to file any response to the affidavit already filed but reserves his right to file rejoinder affidavit to the counter affidavit, if any. He is free to do so.

List these matters again along with other similar/connected matters on Friday, 2<sup>nd</sup> December, 2016 at 2.00 p.m.

(Ashok Raj Singh)  
Court Master

(Veena Khera)  
Court Master



ITEM NO.30 + 32

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) 906/2016

VIVEK NARAYAN SHARMA

Petitioner(s)

VERSUS

UNION OF INDIA

Respondent(s)

(With appln. (s) for interim relief and permission to appear and argue in person and office report)

WITH W.P.(C) No. 908/2016

(With appln. (s) for permission to appear and argue in person and Office Report)

W.P.(C) No. 913/2016

(With Office Report)

W.P.(C) No. 916/2016

(With appln. (s) for stay and Office Report)

W.P.D.No.37946 of 2016

Date : 15/11/2016 These petitions were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD

For Petitioner(s)

(WP 916 of 2016)

Mr. Kapil Sibal, Sr. Adv.  
Ms. Kamini Jaiswal, Adv.  
Mr. V. K. Biju, Adv.  
Mr. Gaurav Ghosh, Adv.  
Mr. Talha A. Rahman, Adv.  
Mr. Muhamed Nissam Pasha, Adv.  
Ms. Anusha, Adv.

(WP 906 of 2016)

Mr. Vivek Narayan Sharma, Adv.  
(Petitioner-in-person)

Signature Not Verified

Digitally signed by  
MAHADEV SINGH  
Date: 2016.11.16  
16:36:08 IST  
Reason:

(WP 908 of 2016)

Mr. Sangam Lal Pandey, Adv.  
(Petitioner-in-person)

(WP 913 of 2016)

Mr. C.R. Jaya Sukia, Adv.  
Mr. Savravarora, Adv.  
Mr. Kamal Mohan Gupta, Adv.

(WP D.No.37946/2016) Ms. Sadhna Kumar, Adv.  
Mr. Shariq Ahmed, Adv.  
Mr. Amit Kishre Sinha, Adv.  
Mr. Sunil Kumar Verma, Adv.

For Respondent(s) Mr. Mukul Rohatgi, AG  
Mr. Tushar Mehta, ASG  
Mr. Atma Ram Nadkarni, ASG  
Mr. Saurabh Kirpal, Adv.  
Mr. R. Balasubramanian, Adv.  
Ms. Rekha Pandey, Adv.  
Mr. S.S. Rebello, Adv.  
Mr. Amog Prabhudesai, Adv.  
Mr. Ananya Mishra, Adv.  
Mr. Santosh Kumar, Adv.  
Ms. Aarti Sharma, Adv.  
Ms. Diksha Rai, Adv.  
Mr. Subas Chandra Acharya, Adv.  
Mr. Nikhil Rohatgi, Adv.  
Mrs. Anil Katiyar, Adv.

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

We have heard learned counsel for the petitioners at some length.

We have also heard Mr. Mukul Rohatgi, learned Attorney General, who offers to file an affidavit in reply to the writ petitions, answering not only the legal contentions urged in the writ petitions but also enumerating the steps that the Government have taken with a view to avoiding hardship and inconvenience to the common man.

Mr. Kapil Sibal, learned senior counsel appearing for the petitioner, submits that while some measures have been taken yet some more need to be taken. He proposes to hand over a list of certain additional measures that need to be taken by the Government to prevent any hardship, inconvenience or prejudice to the people.

Mr. Rohatgi submits that he will have no objection to any such suggestions being examined at the appropriate level and such measures, as are considered feasible without in any manner prejudicing the larger purpose underlying the scheme, being taken by the Government.

Post again on Friday, the 25<sup>th</sup> November, 2016.

Additional document/affidavit, if any, be also filed by the petitioner in the meantime.

(MAHABIR SINGH)  
COURT MASTER

(VEENA KHERA)  
COURT MASTER

[A, B, C, D, H]

8/4, 5  
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(p. 7-8)

Why unit is filed

GDP

(J) - Restriction [What of Bentley Reg.]

RBC Act

o High Denomination

should be in circulation  
much less

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This 86% then it's not  
high denomination