

Centre for Public Interest Litigation & Others

v.

Union of India & Others

(Supreme Court Of India)

HON'BLE MR. JUSTICE G.S. SINGHVI HON'BLE MR. JUSTICE A.K. GANGULY

Civil Appeal No. 10660 Of 2010 | 10-02-2011

1. At the commencement of hearing, Shri. K.K. Venugopal, learned Senior Counsel appearing for CBI and the Enforcement Directorate produced three sealed envelopes (two sets), which were opened in the Court in the presence of the learned counsel for the parties. The envelopes contain the following reports:

1. Progress report dated 10-2-2011 on CBI Case No. RC DAI 2009A 0045 (2G Spectrum case).

2. CBI report in PE.BD1/2010/E/0002 BS & FC/CBI/New Delhi and annexure to that report (both spiral bound).

3. Status report prepared by the Directorate of Enforcement for the period from 27-11-2010 to 8-2-2011.

2. On being asked by the Court, Ms. Indira Jaising, learned Additional Solicitor General made available the report prepared by one-man Commission headed by Justice Shivaraj V. Patil (retired). Shri Harin P. Raval, learned Additional Solicitor General representing the Directorate of Enforcement produced the status report (as on 26-11-2010) prepared by the Directorate of Enforcement.

3. Shri Venugopal took us through the salient features of the status reports and stated that CBI will definitely file the charge-sheet by 31-3-2011. Shri

Venugopal also gave out that today itself four officers have been included into the investigation team for ensuring completion of the investigation within the time schedule disclosed before the Court.

4. We have gone through the report and note with satisfaction that the Director, CBI has given due importance to the 2G Spectrum case.

5. In reply to the Court's query as to what action has been taken against the beneficiaries of UAS licences given in January 2008 and thereafter, who prima facie appear to have conspired for causing loss to the public revenue, Shri Venugopal made a request for adjournment for two weeks to enable him to seek necessary instructions.

6. We also indicated to the learned Attorney General that a separate Special Court should be established to try the case(s) relating to 2G Spectrum Scam. The learned Attorney General responded to this by stating that he may be given two weeks' time to consult the authorities concerned and make a statement on this issue.

7. The request of the learned Attorney General and Shri Venugopal is accepted and the case is adjourned to 1-3-2011 for further consideration.

8. Since this Court is monitoring the investigation of the 2G Spectrum case, we direct that no court shall pass any order which may, in any manner, impede the investigation being carried out by the Central Bureau of Investigation and the Directorate of Enforcement.

9. The Court Master is directed to reseal all the reports, which shall be kept under lock and key by the Secretary General of this Court.