

Supreme Court of India

Election Commission Of India vs Union Of India & Ors. on 21 September, 2000

Equivalent citations: 2000 (7) SCALE 368

Bench: S Bharucha, Y Sabharwal, R Pal

ORDER I.A. No. 5 of 2000 in W.P. (C) No. 606 of 1993:

1. As between the Election Commission of India and the Union of India (the petitioner and the first respondent to the writ petition), it is agreed that the writ petition be disposed of in terms of the Terms of Settlement recorded in paragraph (3) of the interim application.

2. Learned Counsel for the Election Commission and the Union of India state that the States of Tripura, Maharashtra, Tamil Nadu, Andhra Pradesh and Mizoram have accepted these terms in toto. Insofar as other States are concerned, there is some reservation either in respect of one or the other term or altogether.

3. The writ petition is disposed of in terms of aforesaid Terms of Settlement. As against States other than Respondents 4, 6 and 7, the writ petition is allowed to be withdrawn and the issue is left open to be agitated in the appropriate proceedings, if raised.

S.L.P. (C) No. 12481 of 1993:

4. Learned counsel for the Election Commission of India (petitioner) states that the special leave petition has become infructuous. It is disposed of as such.

S.L.P. (C) No. 12721 of 1993:

5. Learned Counsel states that the issue involved in the original writ petition has been settled. On the application of learned Counsel for the petitioner, the special leave petition is dismissed as withdrawn.

T.P. (C) No. 772 of 1993:

6. The transfer petition relating to the afore-mentioned writ petition, therefore, does not survive and is dismissed as withdrawn.

T.P. (C) Nos. 774-75 of 1993:7. Learned Counsel for the Election Commission of India (petitioner) states that these transfer petitions have become infructuous. They are disposed of as such.

T.C. No. 39 of 1996:

8. The petitioner in person is not present despite notice. In any event, the issue is now settled by the Terms of Settlement between the Election Commission of India and the Union of India in Writ Petition (C) No. 606 of 1993. The transferred case is, therefore, dismissed.