

ITEM NO.2

COURT NO.1

SECTION XIIA

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

CIVIL APPEAL NO(s). 2628-2637 OF 2010

STATE OF A.P.& ORS. Appellant (s)

VERSUS

T.MURALIDHAR RAO & ORS.ETC. Respondent(s)

(With appeal (s) for impleadment and prayer for interim relief
and office report)

WITH Civil Appeal NO. 2638-2639 of 2010
(With prayer for interim relief and office report)

Date: 25/03/2010

These Appeals were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE J.M. PANCHAL
HON'BLE DR. JUSTICE B.S. CHAUHAN

For Appellant(s) Mr.G.E.Vahanvati, A.G.for India
Mr.K.Parasaran, Sr.Adv.
Mr.S.Prasad, AAG
Mr.A.Subba Rao, Adv.
Mrs.D. Bharathi Reddy,Adv.

Mr. Shakil Ahmed Syed, Adv.
Mr.S.A.Saud, Adv.
Mr.M.M.Abbasi, Adv.

For Respondent(s) Mr.Harish N.Salve, Sr.Adv.
Mr.Ramakrishna Reddy, Sr.Adv.
Mr.S.U.K.Sagar, Adv.
Ms.BIna Madhavan, Adv.
Mr.Tarun Satija, Adv.
for M/S. Lawyer'S Knit & Co,Advs.

Mr.Sarad Kr.Singhania, Adv.

Mr.D.Bharat Kumar, Adv.
Mr.Basubrahmanyam Kamarsu, Adv.
Ms.M.Indrani, Adv.
For Mr.Abhijit Sengupta, Adv.
Mr.Ravi Shankar Prasad, Sr.Adv.

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Mr.Anish Kumar Gupta, Adv.
Mr.Nishant Ramakant Rao, Adv.
For Mr.P.V.Yogeswaran, Adv.

Mr.P.S.Narasimha, Sr.Adv.
Mr.D.Bharat Kumar, Adv.
Mr.Balasubrahmanyam Kamarsu, Adv.
Ms.M.Indrani, Adv.
For Mr.Abhijit Sengupta, Adv.

Mr.S.S.Prasad, Sr.Adv.
Mr.C.K.SUcharita, Adv.
Ms.Kamini Jaiswal, Adv.

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

The decision of the Full Bench of the High Court of Andhra Pradesh is challenged before us.

Heard learned Attorney General for India and also Mr. Harish Salve, learned senior counsel for the respondents.

The Act passed by the A.P. Legislature giving 4% reservation to Group 'E' of the Backward Classes was challenged before the High Court and the same was struck down by the High Court on various counts.

As several Constitutional issues are involved in these appeals, as an interim measure, we direct that for the time being, reservation of 4% be extended first to e 14 categories mentioned in the Schedule appended to the Act (The Andhra Pradesh Reservation in favour of Socially and Educationally Backward Classes of Muslims Act, 2007) (Act No.26 of 2007), excluding creamy layer. This is a temporary measure till the matter is finally decided.

These matters are referred to the Constitution Bench to be listed in the 2nd week of August, 2010 along with C.A.No.7513/2005 for appropriate directions.

(G.V.Ramana)
Court Master

(Vijay Dhawan)
Asst. Registrar