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* *Mr. Ashok Arora suspended from the Post of Hony. Secretary vide EC resolution Dated 08.05.2020*

To,
The Secretary General,
Supreme Court of India,
New Delhi.

Subject: Extraordinary Urgent Listing of the Special Leave Petition filed on behalf of Shri Arnab Goswami.

Dear Sir,

I address this letter to you as the President of the Supreme Court Bar Association to lodge strong protest with regard to the subject matter which has been listed Tomorrow before the Bench of Hon'ble Justice D.Y.Chandrachud and Hon'ble Justice Indira Banerjee .

I have nothing personal against Mr Goswami and I am not writing this letter to anyway interfere in with his rights to move the Supreme Court. Like all Citizens he also has right to seek justice from the highest court.

The serious issue here is selective listing of matters that the Registry under your leadership is indulging in for last eight months during Covid pandemic. While thousands of Citizens remain in jails , languishing for long periods while their matters filed before the Hon'ble Supreme Court are not getting listed for weeks and months , it is , to say the least, deeply disturbing as to how and why every time Mr Goswami approaches the Supreme Court, his matter gets listed instantly . Is there any special Order or Direction from Hon'ble the Chief Justice of India and the Master of the Roaster in this regard? It is quite well known that such extraordinarily urgent listings of matters cannot and does not take place without specific orders from Hon'ble the Chief Justice. Or is it that as the Administrative Head you or the Registrar listing is giving special preference to Shri Goswami?

You are fully aware, and it is on record, that time and again I have received requests from various Advocates on Record to the effect that the matters filed by them are not getting listed for weeks and months though very urgent and involving serious issues requiring Hon'ble Court s urgent intervention including Bail matters. They have even complained, giving names, that certain AOR's matters get instant listing while they have to wait in queue for long time, sometimes against the same judgement being appealed against.

I must place on record that in few cases you have kindly helped in getting such matters listed. But that is not the issue. Issue here is , why is this selective listing taking place when system is supposedly computerised and is to work automatically? Why is It that despite the same, matters are getting circulated and that too before only few Hon'ble Benches? Why is there no foolproof system to be just and fair to all Citizens and all AORs?

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You are aware, and I have brought to your notice time and again , that Covid has created serious challenges for Lawyers and that their very livelihood is threatened . Many are suffering irreparably. SCBA has tried to help them financially but we have limitations. The solution lies in improving the Virtual Hearing system in the Supreme Court by replacing Vydeo with better technical platform. SCBA, after discussing with some of the leading players in the field, short listed one of the best in the World and forwarded the proposal to You as also to E Committee and Computer Committee months and months ago. We were told that it is under consideration. You floated tender, while most HCs are taking better platforms without any tender process to do better justice. Shockingly , Hon'ble Chief Justice during hearing of a matter, upon being offered better platform by Reliance Jio, asked his client to contact Registry. This was bolt from the blue and a shock.

Be that as it may, SC has failed to shift to a better platform for unknown reasons, making its functioning quite truncated and limited. Fewer Benches are in session daily and some of them don't even sit during Court hours due to unknown reasons, may be due to technological challenges. Direct and debilitating effect is on the Justice delivery and rights of the Citizens, at least Common Man.

So, likes of Shri Goswami get special treatment while ordinary Indians are made to suffer, including Imprisonment, which are many times illegal and unauthorised. Even someone like Mr P Chidambaram , a respected Senior Advocate , could not get similar speed listing and had to spend long months in jail till finally the Hon'ble Supreme Court declares that he deserved to be Bailed out.

Sir, the subject matter was filed yesterday, it got instant diary number, though not final, and it is listed tomorrow. This is a gross abuse of administrative power, whosoever has exercised it on administrative side. It gives an impression that Clients represented by certain Lawyers are getting special treatment, which does not speak well if the great Institution, that the Supreme Court is.

I request, that till you install foolproof system to ensure urgent listing on well known principles, till you have listed all the matters filed by various AORs with urgent listing requests prior to November 10, you should not allow the subject matter to be heard.

I request you to place my letter before Hon'ble Bench hearing the matter tomorrow in this regard.

Sincerely ,
Dushyant Dave ,
President,
Supreme Court Bar Association

November 10, 2020 ,
New Delhi.
8.15 pm .