

ITEM NO.1

COURT NO.10

SECTION PIL

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
W R I T P E T I T I O N (C I V I L) N O (s) . 2 7 1 O F 2 0 1 1 (F O R P R E L . H E A R I N G)

SAVE AAM ADMI
Petitioner(s)

VERSUS

UNION OF INDIA & ANR
Respondent(s)

(With office report)

Date: 07/07/2011 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI
HON'BLE MR. JUSTICE H.L. DATTU

For Petitioner(s) Mr. Subhash Sharma, Adv.

For Respondent(s)

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

In this petition filed in the name of Public Interest

Litigation, the petitioner has made the following
substantive

prayers:

- "a) Issue a writ of Mandamus directing the Respondents to audit and ascertain actual number of genuine subscribers of each of the telecom company operating in India and allocate "Spectrum" to the telecom companies on the basis of actual users;
- b) Issue appropriate order(s)/writ so that specific procedure is prescribed for determining current as well as future actual subscriber base of various telecom companies operating in India;
- c) Issue appropriate order(s)/writ for audit of existing customer base and upon that basis, subsequent withdrawal of excess spectrum allotted to the telecom companies after weeding out fictitious and artificial subscribers;
- d) Issue appropriate order(s)/writ for audit of actual active subscriber base of the telecom

companies operating in India as the same has vital linkage with the inflation of subscriber base because such SIM cards which are not active further adds up to the subscriber base of the telecom companies;"

We have heard Shri Subhash Sharma, learned counsel appearing for the petitioner and are convinced that the writ

petition is liable to be dismissed because the petitioner has not placed any material before the Court to show how he has the locus to invoke jurisdiction of the Court under Article 32 in the name of Public Interest Litigation. That apart, we find that the entire

petition is based on newspaper cuttings and there is no tangible evidence which could justify exercise of jurisdiction by this Court to inquire into the allegation made by the petitioner.

The writ petition is accordingly dismissed.

(Satish K.Yadav)
Arora)
Court Master

(Phoolan Wati
Court Master