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1 August, 2022

The Registrar (Judicial)
Supreme Court of India
New Delhi

Dear Sir,

Subject: Maharashtra State Board of Wakfs v. Shaikh Yusuf Bhai Chawla and Ors. [SLP Civil No. 31288-31290/2011] listed before Court No.1 as Item No. 18 on 02 August, 2022.

A letter has been placed in my hands written by one Shri Shashibhushan P. Adgaonkar, copy marked to 18 Advocates on Record, describing himself as Advocate for the Petitioner. The letter states that since "a letter seeking adjournment of 2 weeks on the count of health of learned Attorney General" has been submitted and "since the matter is of urgent nature, the petitioner wakf board has made alternate arrangement to go ahead with the matter, hence in view of the specific instructions from petitioner Wakf Board, I am not pressing the earlier letter for adjournment and same may be treated as withdrawn".

What Shri Adgaonkar appears not to know is that I, as Attorney General, on hearing that the previous Advocate on Record had written a letter seeking an adjournment of 2 weeks, had forthwith written a letter to the Registrar General (which must have been delivered today at 1:00 pm) stating that I am withdrawing the letter since the Hon'ble Chief Justice had orally stated that he would like to know the status of my health on the 2 August, 2022.

Some shocking steps seem to have been taken by whosoever is behind the conduct of this case since –

- i. firstly, my Advocate on Record has been changed;
- ii. Shri Javed Shaikh, the special counsel appointed by the Wakf Board who has been instructing me in the Wakf Board cases from 2011 and who, in my opinion, is an authority on wakf law, has been removed from his post;
- iii. Shri Gopal Sankaranarayanan, who had informed the Court on the last occasion that I would be leading him and has been instructing me in the matter, has been withdrawn from the case.

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The last such person who has been targeted is the Attorney General for India. All this interference with counsel who are to represent parties being removed at the last minute is a serious, uncalled for, and unwarranted attempt to interfere in the due administration of justice by removing counsel representing the parties. This clearly is an act of contempt of court. The Attorney General cannot be dealt with so casually through a letter of this nature for the simple reason that under Article 76(3) of the Constitution, "*In the performance of his duties the Attorney General shall have right of audience in all courts in the territory of India*". In Britain, the Attorney General with similar powers has intervened, according to the commentaries, in cases where public charities are involved. I have myself filed a Special Leave Petition directly in the Supreme Court where a judgment of the Bombay High Court had wholly misinterpreted the provisions of POCSO Act, though not a party to the case. There is no question of the Attorney General not being able to do so and the precedent existed in 1986 [*Refer Attorney General of India v. Lachma Devi AIR 1986 SC 467*].

It will be noted that when the Attorney General exercises his right of audience under Article 76(3) of the Constitution, he does it on his own right and need not exercise that right only on instructions from an Advocate on Record. The fact that my Advocate on Record has been changed makes, therefore, no difference.

I intend making all these points before the Supreme Court on Tuesday when the case is called out in view of the serious impact on the administration of justice so that the Hon'ble Chief Justice of India and his companion judges can decide upon whatever should be the future course of action in the matter.

Yours sincerely,



K.K. Venugopal

Copy to: 1. Mr. Ejaz Maqbool, 2. Mr. Nirnimesh Dube, 3. Mr. Praveen Kumar, 4. Mr. Sakya Singha Choudhari, 5. Mr. T. Mahipal, 6. Mr. Vimal Chandra S. Dave, 7. Ms. Abha R. Sharma, 8. Mr. Nishant R. Katneshwarkar, 9. Mr. Mohd. Irshad Hanif, 10. Mr. P.N. Puri, 11. Mr. Gagan Gupta, 12. Mr. K. Rajeev, 13. Mr. K.N. Rai, 14. Ms. Sujata Kurdukar, 15. Ms. Bina Gupta, 16. Mr. Shishir Deshpande, 17. Mr. Gaurav Agrawal, 18. Mr. Sudhanshu S. Choudhari, 19. Mr. Shashibhushan P. Adgaonkar