

ITEM NO.44+46+19+49+50 Revised*
COURT NO.1 SECTION PIL-W

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

Writ Petition(s)(Civil) No(s).1011/2022

SUPRIYO @ SUPRIYA CHAKRABORTY & ANR. Petitioner(s)

VERSUS

UNION OF INDIA Respondent(s)

WITH

W.P.(C) No. 1020/2022 (PIL-W)
(FOR ADMISSION and IA No.176659/2022-PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES)

Transfer Petition(s)(Civil) No(s). 2842/2022
(FOR ADMISSION and IA No.193039/2022-EX-PARTE STAY)

W.P.(C) No. 1105/2022 (X)
(FOR ADMISSION)

T.P.(C) No. 2844/2022 (XVI-A)
(FOR ADMISSION and IA No.193172/2022-EX-PARTE STAY)

Transfer Petition(s)(Civil) No(s).2876/2022

W.P.(C) No. 1141/2022 (PIL-W)
(FOR ADMISSION)

W.P.(C) No. 1142/2022 (X)
(FOR ADMISSION and IA No.201628/2022-EXEMPTION FROM FILING
AFFIDAVIT)

T.P.(C) No. 2960/2022 (XVI-A)
(FOR ADMISSION and IA No.200242/2022-EX-PARTE STAY)

T.P.(C) No. 3007/2022 (XVI-A)
(FOR ADMISSION)

T.P.(C) No. 3025/2022 (XVI-A)
(FOR ADMISSION and I.R.)

Transfer Petition(s)(Civil) No(s). 14/2023
(FOR ADMISSION and IA No.1711/2023-EX-PARTE STAY)

Writ Petition(s)(Civil) No(s). 1150/2022
(FOR ADMISSION and I.R.)

Date : 06-01-2023 These matters were called on for hearing today.

CORAM :

**HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE PAMIDIGHANTAM SRI NARASIMHA
HON'BLE MR. JUSTICE J.B. PARDIWALA**

For Petitioner(s) Mr. Mukul Rohatgi, Sr. Adv.
Mr. Saurabh Kirpal, Sr. Adv.
Ms. Tahira Karanjawala, Adv.
Ms. Niharika Karanjawala, Adv.
Ms. Sanya Dua, Adv.
Mr. Shreyas Maheshwari, Adv.
Mr. Ritwik Mohapatra, Adv.
For M/S. Karanjawala & Co., AOR

Mr. Neeraj Kishan Kaul, Sr. Adv.
Dr. Menaka Guruswamy, Sr. Adv.
Ms. Arundhati Katju, Adv.
Mrs. Priya Puri, AOR
Mr. Govind Manoharan, Adv.
Mr. Dhruv Sharma, Adv.
Mr. Toshiv Goyal, Adv.
Mr. Raghav Agrawal, Adv.
Mr. Utkarsh Pratap, Adv.
Ms. Mukta Hable, Adv.
Mr. Harshit Goel, Adv.
Ms. Shristi Borthakur, Adv.
Ms. Ritika Meena, Adv.
Mr. Ranjay Kumar Dubey, Adv.
Mr. Rishabh Sharma, Adv.

Mr. Anand Grover, Sr. Adv.
Mr. Paras Nath Singh, Adv.
Mr. Rohin Bhatt, Adv.
Ms. Nupur Kumar, AOR

Dr. Maneka Guruswamy, Sr. Adv.
Ms. Arundhati Katju, Adv.
Mrs. Shally Bhasin, AOR
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Ms. Bhabna Das, Adv.
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Ms. Ritika Meena, Adv.
Mr. Chaitanya Safaya, Adv.
Ms. Peehu Singh, Adv.
Ms. Madhavi Agarwal, Adv.
Mrs. Shally Bhasin, AOR

Mr. Akhil Sibal, Sr. Adv.
 Mr. Shadan Farasat, AOR
 Mr. Gautam Bhatia, Adv.
 Mr. Utkarsh Saxena, Adv.
 Mr. Abhinav Sekhri, Adv.
 Ms. Sanya Kumar, Adv.
 Ms. Deboshree Mukherjee, Adv.
 Ms. Bahuli Sharma, Adv.
 Ms. Hrishika Jain, Adv.

Dr. Maneka Guruswamy, Sr. Adv.
 Ms. Arundhati Katju, Adv.
 Mr. Humanshu Suman, Adv.
 Ms. Neeha Nagpal, Adv.
 Mr. Govind Manoharan, Adv.
 Mr. Utkarsh Pratap, Adv.
 Ms. Shristi Borthakur, Adv.
 Ms. Ritika Meena, Adv.
 Mr. Malak Manish Bhatt, AOR

Ms. Karuna Nundy, Adv.
 Mr. Rahul Narayan, AOR
 Ms. Muskan Tibrewala, Adv.
 Mr. Amanpreet Singh, Adv.
 Mr. Nitish Chaudhary, Adv.

Ms. Karuna Nundy, Adv.
 Ms. Ruchira Goel, AOR
 Ms. Ragini Nagpal, Adv.
 Mr. Ishaan Karki, Adv.

For Respondent(s) Mr. Tushar Mehta, SG
 Mr. Kanu Agrawal, Adv.

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

- 1 Since several writ petitions are pending before diverse High Courts involving the same question, we are of the considered view that they should be transferred to and decided by this Court.
- 2 We have heard counsel appearing on behalf of the petitioners and the Solicitor General appearing on behalf of the Union of India and there is a broad consensus that this could be one of modalities to be adopted.

- 3 We accordingly order and direct that the following writ petitions pending before different High Courts shall stand transferred to this Court:

S No.	Causetitle & writ petition No	Pending before
1	Nikesh PP & Anr. v. UOI & Anr., W.P. (C) 2186/2020	High Court of Kerala
2	Abhijit Iyer Mitra & Ors. v. UOI & Anr., W.P. (C) 6371/2020	High Court of Delhi
3	Vaibhav Jain & Anr. v. UOI & Anr., W.P. (C) 7657/2020	High Court of Delhi
4	Dr. Kavita Arora & Anr. v. UOI & Anr., W.P. (C) 7692/2020	High Court of Delhi
5	Udit Sood & Ors. v. UOI & Anr., W.P. (C) 2574/2021	High Court of Delhi
6	Joydeep Sengupta & Ors. v. Ministry of Home Affairs & Ors., W.P. (C) 6150/2021	High Court of Delhi
7	Nibedita Dutta & Anr. v. UOI & Anr., W.P. (C) 13528/2021	High Court of Delhi
8	Zainab Patel v. UOI & Anr., W.P. (C) 13535/2021	High Court of Delhi
9	Mellissa Ferrier & Anr. v. UOI & Ors., W.P. (C) 13206/2021	High Court of Delhi

- 4 We grant liberty to any of the petitioners who desire to address this Court on the virtual platform to do so. The Court Master would supply the link to any petitioner desirous to address submissions on a virtual platform.
- 5 The entire batch of petitions (including transferred cases) shall be listed for directions on 13 March 2023.
- 6 A common set of written submissions shall be filed on behalf of the petitioners and written submissions shall be filed on behalf of the Union of India.
- 7 Ms Arundhati Katju, counsel appearing on behalf of the petitioners and Mr Kanu Agrawal, counsel appearing on behalf of the Union of India shall be the nodal

counsel. Both the counsel shall together prepare a common compilation of:

- (i) Written submissions;
- (ii) Documents;
- (iii) Legislation; and
- (iv) Precedents on which reliance would be placed during the course of the hearing.

There shall be a common index for the compilations.

8 This exercise shall be completed before the batch of cases is listed before this Court for directions.

9 Soft copy of the compilations shall be exchanged between the parties and shall be made available to the Court.

10 List the petition along with connected petitions and transferred cases on 13 March 2023 for directions.

Writ Petition (C) Nos 1141 of 2022, 1142 of 2022, 1150 of 2022

11 Issue notice.

12 Copies of the petitions shall be served on the Central Agency and the advocate assisting the Solicitor General.

13 Counter affidavit shall be filed by 15 February 2023.

14 Tag with Writ Petition (C) No 1011 of 2022.

TP(C) Nos 2876 of 2022, 2960 of 2022, 3007 of 2022, 3025 of 2022, 14 of 2023, 2842 of 2022 and 2844 of 2022

15 In view of the order passed in Writ Petition (Civil) No 1011 of 2022, transferring the petitions pending before the High Court of Kerala and High Court of Delhi, the Transfer Petitions are disposed of.

16 Pending application, if any, stands disposed of.

**(SANJAY KUMAR-I)
DEPUTY REGISTRAR**

**(SAROJ KUMARI GAUR)
ASSISTANT REGISTRAR**

**(*revised for appearances as mentioned in Court No 1 on
12 January 2023)**

ITEM NO.44+46+19+49+50

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