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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.REF. 1/2022

COURT ON ITS OWN MOTION

..... Petitioner

Represented by:

versus

STATE OF NCT OF DELHI AND ANR.

..... Respondent

Represented by:

Mr. Amit Peswani, Adv for Ms.

Nandita Rao, ASC Crl for State.

Mr. Anil Soni, Adv for UOI &

UIDAI.

Mr. Prashanto Chandra Sen, Sr. Adv.

for Amicus Curiae.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

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02.11.2022

1. Learned Amicus Curiae handed over the copies of writ petitions pending before the Hon'ble Supreme Court being WPC no. 00795/2019 wherein the prayer is for issuance of direction for establishing the identity of unidentified dead bodies by matching his/her fingerprint with the 'AADHAAR' database available with UIDAI, as the primary process besides use of secondary/alternative method and inter alia also establish the identity of accidental victims. He further states that in the matter of writ petition before the Hon'ble Supreme Court, constitutional validity of provisions of the Aadhaar have not been challenged, which have been referred in the present reference.

2. Learned Amicus Curiae however seeks some time to clarity and find out whether the constitutional validity of Section 29 and 33 of the Aadhaar



Act have been at on earlier point of time ever challenged before the Hon'ble Supreme Court.

3. Learned Amicus Curiae will also place on record a tabulated chart of comparative assessment of the prayers in the petitions pending before the Hon'ble Division Bench-I of this Court, the prayers in the writ petition in Hon'ble Supreme Court and the questions which form part of this reference.
4. List on 18th November, 2022.
5. Order be uploaded on the website of this Court.

MUKTA GUPTA, J.

ANISH DAYAL, J.

NOVEMBER 2, 2022/ps