

Giripar Anusuchit Jaati Adhikari Sanrakshan Samiti versus Union of India & Others a/w connected matters

CWP No. 8301 of 2023 a/w CWP No. 9036, 9528, 9737, 9771, 9772, 9816, 9929, 9982, 10161, 10394, 10779, 10784 of 2023, CWP No. 246, 2956, 3804, 12295, 13231 of 2024 & CWP No. 1453 of 2026.

CWP No. 8301 of 2023

06.04.2026. Present: Mr. Rajendra Gulati and Mr. Ajay Ranta, Advocates, for the petitioner.

Mr. S.D. Sanjay, Additional Solicitor General of India [Through VC) with Mr. Balram Sharma, Deputy Solicitor General of India [Senior Advocate] with Mr. Rajeev Sharma, Advocate, Mr. Rajinder Thakur and Mr. Kunal Thakur, Central Government Counsel, for respondents No.1 to 7-Union of India.

Mr. Anup Rattan, Advocate General with Mr. Sushant Keprate, Additional Advocate General and Mr. J.S. Guleria, Deputy Advocate General, for respondents No.8 to 12-State.

Mr. Ashok Kumar, Senior Advocate with Ms. Anubhuti Sharma, Advocate, for the applicant in CMP No.18821 of 2023.

Mr. Shyam Singh Chauhan, Advocate, for the applicants in CMP No.2823 of 2023.

Mr. Shrawan Dogra, Senior Advocate with Mr. Tejasvi Dogra and Mr. Bharat Thakur, Advocates, for the applicants in CMP No.24288 of 2024.

CWP No.9036 of 2023

Mr. Vinod Chauhan, Advocate, for the petitioner.

Mr. S.D. Sanjay, Additional Solicitor General of India [Through VC) with Mr. Balram Sharma, Deputy Solicitor General of India [Senior Advocate] with Mr. Rajeev Sharma, Advocate, Mr. Rajinder

Thakur and Mr. Kunal Thakur, Central Government Counsel, for the respondents - Union of India.

Mr. Anup Rattan, Advocate General with Mr. Sushant Keprate, Additional Advocate General and Mr. J.S. Guleria, Deputy Advocate General, for respondents No.8 to 12-State.

CWP No.9528 of 2023

Mr. Dinkar Bhaskar, Advocate, for the petitioners.

Mr. S.D. Sanjay, Additional Solicitor General of India [Through VC] with Mr. Balram Sharma, Deputy Solicitor General of India [Senior Advocate] with Mr. Rajeev Sharma, Advocate, Mr. Rajinder Thakur and Mr. Kunal Thakur, Central Government Counsel, for the respondents - Union of India.

Mr. Anup Rattan, Advocate General with Mr. Sushant Keprate, Additional Advocate General and Mr. J.S. Guleria, Deputy Advocate General, for respondents No.8 to 12-State.

CWP No.9737 of 2023

Mr. Rajiv Rai, Advocate, for the petitioner.

Mr. S.D. Sanjay, Additional Solicitor General of India [Through VC] with Mr. Balram Sharma, Deputy Solicitor General of India [Senior Advocate] with Mr. Rajeev Sharma, Advocate, Mr. Rajinder Thakur and Mr. Kunal Thakur, Central Government Counsel, for the respondents - Union of India.

Mr. Anup Rattan, Advocate General with Mr. Sushant Keprate, Additional Advocate General and Mr. J.S. Guleria, Deputy Advocate General, for respondents No.2 to 4-State.

Ms. Mansi Sharma, Advocate vice Ms. Vandna Misra, Advocate, for respondent No.5.

CWP No.9771 of 2023

Mr. Vinod Chauhan, Advocate, for the petitioner.

Mr. S.D. Sanjay, Additional Solicitor General of India [Through VC] with Mr. Balram Sharma, Deputy Solicitor General of India [Senior Advocate] with Mr. Rajeev Sharma, Advocate, Mr. Rajinder Thakur and Mr. Kunal Thakur, Central Government Counsel, for the respondents - Union of India.

Mr. Anup Rattan, Advocate General with Mr. Sushant Keprate, Additional Advocate General and Mr. J.S. Guleria, Deputy Advocate General, for respondents No.2 to 4-State.

Mr. Prashant Sharma, Advocate, for respondent No.5.

CWP No.9772 of 2023

None for the petitioner.

Mr. S.D. Sanjay, Additional Solicitor General of India [Through VC] with Mr. Balram Sharma, Deputy Solicitor General of India [Senior Advocate] with Mr. Rajeev Sharma, Advocate, Mr. Rajinder Thakur and Mr. Kunal Thakur, Central Government Counsel, for the respondents - Union of India.

Mr. Anup Rattan, Advocate General with Mr. Sushant Keprate, Additional Advocate General and Mr. J.S. Guleria, Deputy Advocate General, for respondents No.2 to 4-State.

CWP No.9816 of 2023

None for the petitioner.

Mr. S.D. Sanjay, Additional Solicitor General of India [Through VC] with Mr. Balram Sharma, Deputy Solicitor General of India [Senior Advocate] with Mr. Rajeev Sharma, Advocate, Mr. Rajinder Thakur and Mr. Kunal Thakur, Central

Government Counsel, for the respondents - Union of India.

Mr. Anup Rattan, Advocate General with Mr. Sushant Keprate, Additional Advocate General and Mr. J.S. Guleria, Deputy Advocate General, for respondents No.2 to 4-State.

Mr. Vikrant Thakur, Advocate, for respondent No.5.

CWP No.9929 of 2023

None for the petitioner.

Mr. S.D. Sanjay, Additional Solicitor General of India [Through VC) with Mr. Balram Sharma, Deputy Solicitor General of India [Senior Advocate] with Mr. Rajeev Sharma, Advocate, Mr. Rajinder Thakur and Mr. Kunal Thakur, Central Government Counsel, for the respondents - Union of India.

Mr. Anup Rattan, Advocate General with Mr. Sushant Keprate, Additional Advocate General and Mr. J.S. Guleria, Deputy Advocate General, for respondents No.2 to 4-State.

CWP No.9982 of 2023

Mr. Aashish Kumar, Advocate, for the petitioner.

Mr. S.D. Sanjay, Additional Solicitor General of India [Through VC) with Mr. Balram Sharma, Deputy Solicitor General of India [Senior Advocate] with Mr. Rajeev Sharma, Advocate, Mr. Rajinder Thakur and Mr. Kunal Thakur, Central Government Counsel, for the respondents - Union of India.

Mr. Anup Rattan, Advocate General with Mr. Sushant Keprate, Additional Advocate General and Mr. J.S. Guleria, Deputy Advocate General, for the respondents-State.

CWP No.10779 of 2023

Mr. Neel Kamal Sood, Senior Advocate with Mr. Vasu Sood, Mr. Ganesh Barowalia, Ms. Nidhi Verma and Mr. Amir Khan, Advocates, for the petitioner.

Mr. S.D. Sanjay, Additional Solicitor General of India [Through VC) with Mr. Balram Sharma, Deputy Solicitor General of India [Senior Advocate] with Mr. Rajeev Sharma, Advocate, Mr. Rajinder Thakur and Mr. Kunal Thakur, Central Government Counsel, for the respondents - Union of India.

Mr. Anup Rattan, Advocate General with Mr. Sushant Keprate, Additional Advocate General and Mr. J.S. Guleria, Deputy Advocate General, for the respondents-State.

CWP No.10784 of 2023

Mr. Neel Kamal Sood, Senior Advocate with Mr. Vasu Sood, Mr. Ganesh Barowalia, Ms. Nidhi Verma and Mr. Amir Khan, Advocates, for the petitioner.

Mr. S.D. Sanjay, Additional Solicitor General of India [Through VC) with Mr. Balram Sharma, Deputy Solicitor General of India [Senior Advocate] with Mr. Rajeev Sharma, Advocate, Mr. Rajinder Thakur and Mr. Kunal Thakur, Central Government Counsel, for the respondents - Union of India.

Mr. Anup Rattan, Advocate General with Mr. Sushant Keprate, Additional Advocate General and Mr. J.S. Guleria, Deputy Advocate General, for the respondents-State.

CWP No.10161 of 2023

Mr. Vinod Chauhan, Advocate, for the petitioners.

Mr. S.D. Sanjay, Additional Solicitor General of India [Through VC) with Mr. Balram Sharma, Deputy Solicitor

General of India [Senior Advocate] with Mr. Rajeev Sharma, Advocate, Mr. Rajinder Thakur and Mr. Kunal Thakur, Central Government Counsel, for the respondents - Union of India.

Mr. Anup Rattan, Advocate General with Mr. Sushant Keprate, Additional Advocate General and Mr. J.S. Guleria, Deputy Advocate General, for the respondents-State.

CWP No.246 of 2024

None for the petitioner.

Mr. S.D. Sanjay, Additional Solicitor General of India [Through VC] with Mr. Balram Sharma, Deputy Solicitor General of India [Senior Advocate] with Mr. Rajeev Sharma, Advocate, Mr. Rajinder Thakur and Mr. Kunal Thakur, Central Government Counsel, for the respondents - Union of India.

Mr. Anup Rattan, Advocate General with Mr. Sushant Keprate, Additional Advocate General and Mr. J.S. Guleria, Deputy Advocate General, for the respondents-State.

CWP No.2956 of 2024

Mr. Mohit Thakur, Advocate, for the petitioner.

Mr. Anup Rattan, Advocate General with Mr. Sushant Keprate, Additional Advocate General and Mr. J.S. Guleria, Deputy Advocate General, for the respondents-State.

CWP No.3804 of 2024

Mr. Hirdaya Ram, Advocate, for the petitioner.

Mr. S.D. Sanjay, Additional Solicitor General of India [Through VC] with Mr. Balram Sharma, Deputy Solicitor General of India [Senior Advocate] with Mr. Rajeev Sharma, Advocate, Mr. Rajinder

Thakur and Mr. Kunal Thakur, Central Government Counsel, for the respondents - Union of India.

Mr. Anup Rattan, Advocate General with Mr. Sushant Keprate, Additional Advocate General and Mr. J.S. Guleria, Deputy Advocate General, for the respondents-State.

Mr. Harish Dod, Advocate, for respondent No.10.

Mr. Neel Kamal Sood, Senior Advocate with Mr. Vasu Sood, Mr. Ganesh Barowalia, Ms. Nidhi Verma and Mr. Amir Khan, Advocates, for the applicant in CMP No.9525 of 2024.

CWP No.12295 of 2024

Mr. Hirdaya Ram, Advocate, for the petitioner.

Mr. Anup Rattan, Advocate General with Mr. Sushant Keprate, Additional Advocate General and Mr. J.S. Guleria, Deputy Advocate General, for the respondents-State.

CWP No.13231 of 2024

Mr. Vinay Kuthiala, Senior Advocate with Mr. Diwan Singh, Advocate, for the petitioner.

Mr. S.D. Sanjay, Additional Solicitor General of India [Through VC) with Mr. Balram Sharma, Deputy Solicitor General of India [Senior Advocate] with Mr. Rajeev Sharma, Advocate, Mr. Rajinder Thakur and Mr. Kunal Thakur, Central Government Counsel, for the respondents - Union of India.

Mr. Anup Rattan, Advocate General with Mr. Sushant Keprate, Additional Advocate General and Mr. J.S. Guleria, Deputy Advocate General, for the respondents-State.

CWP No. 1453 of 2026.

Mr. Yudhvair Singh Thakur & Mr. Ayush Chauhan, Advocates, for the petitioners.

Mr. S.D. Sanjay, Additional Solicitor General of India [Through VC] with Mr. Balram Sharma, Deputy Solicitor General of India [Senior Advocate] with Mr. Rajeev Sharma, Advocate, Mr. Rajinder Thakur and Mr. Kunal Thakur, Central Government Counsel, for the respondents - Union of India.

Mr. Anup Rattan, Advocate General with Mr. Sushant Keprate, Additional Advocate General and Mr. J.S. Guleria, Deputy Advocate General, for the respondents-State.

Mr. Vinay Kuthiala, Senior Advocate submits that in view of passing of Repealing and Amending Bill 2025, with respect to Act No.14 of 2023, namely, the Constitution (Scheduled Tribes) Order (Second Amendment) Act, 2023 these petitions do not survive.

As prayed by learned counsel for the parties including the learned Advocate General, matters are adjourned to verify the facts and assess the impact of the aforesaid repeal, if any.

Learned Deputy Solicitor General of India, in response, submits that Repealing and Amending Bill, 2025, wherein the aforesaid amendment Act 2023 has been included the

Schedule, does not repeal the amendments carried out in the Constitution and therefore, according to him, the amendments carried out by the said Amendment Act, 2023, are in existence.

Faced with aforesaid two contentions, learned counsel for representing other parties seek time to verify the facts. Be verified by next date.

List on **17.04.2026**.

(Vivek Singh Thakur)
Judge

April 06, 2026
[Shivender]

(Ranjan Sharma)
Judge