

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Writ Petition(s)(Civil) No(s). 116/1998

JUSTICE SUNANDA BHANDARE FOUNDATION

Petitioner(s)

VERSUS

U.O.I. & ORS.

Respondent(s)

(ONLY INTERLOCUTORY APPLICATIONS ARE TO BE LISTED,
IA 10/2015, 11/2015, 13/2015, 14/2017, 93954/2018, 134118/2018)

WITH

C.A. No. 11938/2016 (XIV)

(ONLY OFFICE FOR DIRECTION IS TO BE LISTED BEFORE HON'BLE COURT)

Date : 07-05-2019 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ARUN MISHRA

HON'BLE MR. JUSTICE NAVIN SINHA

For Petitioner(s) Mr. Colin Gonsalves, Sr. Adv.
Ms. Nabila Hasan, Adv.
Ms. Jyoti Mendiratta, AORMs. Manali Singhal, Adv.
Mr. Santosh Sachin, Adv.
Mr. Rohit Kaul, Adv.
Mr. Deepak Singh Rawat, Adv.
Mr. Tejasvi Kumar, Adv.
Mr. Simanta Kumar, Adv.
Mr. Ambar Qamaruddin, AORFor Respondent(s) Ms. Pinky Anand, ASG
Mr. Ajit Kumar Sinha, Sr. Adv.
Mr. Nishesh Sharma, Adv.
Ms. Snidha Mehra, Adv.Mr. Aman Lekhi, ASG
Ms. V. Mohana, Sr. Adv.
Ms. Sunita Sharma, Adv.
Mr. R.R. Rajesh, Adv.
Mr. Raj Bahadur, Adv.
Mrs. Anil Katiyar, AOR
Ms. Rashmi Malhotra, Adv.
Ms. Shailinder Saini, Adv.
Mr. B.V. Balram Das, Adv.
Mr. Jitendra Kr. Tripathi, Adv.

Ms. Nikita Capoor, Adv.

Mr. Atmaram N.S. Nadkarni, ASG

Mr. Pratap Venugopal, Adv.

Mr. Salvador S. Rebello, Adv.

Ms. Viddusshi, Adv.

Mr. Salil Singh, Adv.

For M/s. K.J. John and Co.

Mr. R. Bala, Sr. Adv.

Mr. Jitendra Kumar Tripathi, Adv.

Mr. B.V. Balram Das, AOR

Dr. Manish Singhvi, Sr. Adv.

Padhmalakshmi Iyengar, AAG, Rajasthan

Mr. Satyendra Kumar, Adv.

Mr. Shailja Nanda Mishra, Adv.

Mr. Milind Kumar, AOR

Mr. T.R.B. Sivakumar, AOR

Mr. Prashant Kumar, AOR

Mr. Gulshan Bajwa, AOR

Mr. Gopal Singh, AOR

Mr. Manish Kumar, Adv.

Ms. Pragati Neekhara, AOR

Mr. R. Sathish, AOR

Mr. Jatinder Kumar Sethi, Adv.

Mr. Rajiv Nanda, AOR

Mr. K.V. Mohan, AOR

Mr. Jagjit Singh Chhabra, AOR

Mr. Manoj R. Sinha, Adv.

Mr. Rameshwar Prasad Goyal, AOR

Mr. V.N. Raghupathy, AOR

Mr. Manendra Pal Gupta, Adv.

Mr. Shuvodeep Roy, AOR

Mr. Kabir Shankar Bose, Adv.

Mr. Rijuk Sarkar, Adv.

Ms. Manreet kaur, Adv.

Mr. P.V. Yogeswaran, AOR

Mr. Ashok Mathur, AOR

Mr. Abhishek Chaudhary, AOR

Mr. B. Balaji, AOR

Mr. Rajeev Sharma, AOR

Mr. V. G. Pragasam, AOR

Mr. S. Prabu Ramasubramanian, Adv.

Mr. S. Manuraj, Adv.

Ms. Rajkumari Banju, AOR

Mr. Praveen Swarup, AOR

Mr. Shibashish Misra, AOR

Ms. Vandana Kaushal Nee Mohanty, Adv.

Mr. Chandan Kumar Mandal, Adv.

Mr. Dharmendra Kumar Sinha, AOR

Ms. Hemantika Wahi, AOR

Ms. Jesal Wahi, Adv.

Ms. Puja Singh, Adv.

Ms. Vishakha, Adv.

Mr. Nirnimesh Dube, AOR

Mr. Satish Vig, AOR

Mr. Chanchal Kumar Ganguli, AOR

Mr. Anil Shrivastav, AOR

Dr. Monika Gusain, AOR

Ms. Rachana Srivastava, AOR

Mr. S. Udaya Kumar Sagar, AOR

Mr. Mrityunjai Singh, Adv.

Mr. G. Prakash, AOR

Mr. Jishu M.L., Adv.

Mrs. Priyanka Prakash, Adv.

Mrs. Beena Prakash, Adv.

Mr. Anuvrat Sharma, AOR

Mr. Mrinal Kanthi Mondal, Adv.

Mr. K.V. Jagdishvaran, Adv.

Ms. G. Indira, AOR

Mr. Ranjan Mukherjee, AOR

Ms. Aprajita Mukherjee, Adv.
Mr. S. Bhowmick, Adv.
Mr. K.V. Kharlyngdoh, Adv.
Mr. Upendra Mishra, Adv.

Ms. K. Enatoli Sema, AOR
Mr. Amit Kumar Singh, Adv.

Mr. Tapesb Kumar Singh, AOR
Mr. Aditya N. Das, Adv.
Mr. Aditya Pratap Singh, Adv.

Mr. Abhijit Sengupta, AOR

Mr. C. K. Sasi, AOR
Mrs. Nayantara Roy, Adv.
Mr. Abdulla N.V.T., Adv.

Mr. Aniruddha P. Mayee, AOR

Mr. T.N. Rama Rao, Adv.
Mr. Hitesh Kumar Sharma, Adv.
T. Veera Reddy, Adv.
Mr. T. V. George, AOR

Mr. Sunil Fernandes, AOR

Mr. Arjun Garg, AOR

Mr. Ashok Kumar Singh, AOR

Ms. Uttara Babbar, AOR
Ms. Bhavana Duhoon, Adv.
Mr. Manan Bansal, Adv.

Mr. Nikhil Jain, AOR

Mr. B.K. Satija, Adv.

Mrs. Swarupama Chaturvedi, AOR

Mrs. D. Bharathi Reddy, AOR
Ms. Rachna Gandhi, Adv.

Mr. Devendra Singh, AOR

Mr. M. Yogesh Kanna, AOR

Ms. Aruna Mathur, Adv.
Mr. Avneesh Arputham, Adv.
Ms. Anuradha Arputham, Adv.
Ms. Geetanjali, Adv.
For M/s. Arputham Aruna and Co.

Mr. Pawan Upadhyay, Adv.
Mr. Sarvjit Pratap Singh, Adv.
Ms. Sharmila Upadhyay, AOR

Ms. Rajani Ohri Lal, AOR

Ms. Diksha Rai, AOR
Ms. Palak Mahajan, Adv.

Mr. Ramesh Babu M. R., AOR

Mr. S.D. Singh, Adv.
Ms. Bharti Tyagi, AOR
Mrs. Meenu Singh, Adv.
Mr. Ram Kripal Singh, Adv.

Mr. Guntur Prabhakar, AOR
Ms. Purna Singh, Adv.

Mr. Sangram S. Saron, Adv.
Mr. Shree Pal Singh, AOR

Mr. Abhinav Mukerji, AOR
Ms. Pratishtha Vij, Adv.
Ms. Purnima Krishna, Adv.

Ms. Deepa M. Kulkarni, Adv.
Mr. Nishant Ramakantrao Katneshwarkar, AOR

Ms. Sushma Suri, AOR

Mr. D.S. Mahra, AOR

Mr. Rahul Kaushik, AOR
Ms. Bhuvneshwari Pathak, Adv.
Ms. Shilpi Satyapriya Satyam, Adv.
Mrs. Siddharth Chakravorty, Adv.

Mr. G.M. Kawoosa, Adv.
Mr. M. Shoeb Alam, AOR

Mr. Tanmaya Agarwal, AOR

Mr. Suhaan Mukerji, Adv.
Ms. Astha Sharma, Adv.
Mr. Abhishek Manchanda, Adv.
Ms. Kajal Dalal, Adv.
Mr. Prastut Dalvi, Adv.
Ms. Dimple Nagpal, Adv.

Mr. Shreekant N. Terdal, AOR

Mr. Leishangthem Roshmani Kh., Adv.
Ms. Maibam Babina, Adv.
Ms. Anupama Ngangom, Adv.

Mr. Gagan Narang, Adv.
Ms. Astha Sharma, Adv.

Mr. Aviral Saxena, Adv.
Ms. Rachna Srivastava, Adv.

Mr. Rajesh pandey, Adv.
Mr. Mahesh Pandey, Adv.
Mr. Diganta Gogoi, Adv.
Bitu Kumar Singh, Adv.

Mr. Karan Bharihoke, Adv.
Mr. Siddhant Sharma, Adv.

UPON hearing the counsel the Court made the following

O R D E R

Writ Petition(s)(Civil) No(s). 116/1998

It is submitted by the learned counsel appearing on behalf of the petitioner that the eight States/Union Territories have not filed their affidavit reporting compliance.

The submission of the learned counsel for the petitioner is disputed by the learned counsel appearing on behalf of the State/Union Territory of Goa, Gujarat, Lakshyadeep, Chhattisgarh and Andman and Nicobar Island. Learned counsel on their behalf have submitted that the compliance affidavit has been filed with respect to the compliance that was made up to the date of filing.

Let the Registry to search out the replies of the aforesaid States/Union Territories and place them on record.

Time is granted to the State of Mizoram, Rajasthan and West Bengal to file their reply showing compliance.

It was pointed out by the learned counsel for the petitioner that the affidavits filed by the various States/Union Territories indicate only partial compliance. If that be so, fresh affidavit be filed, within a period of three months from today, by all the States/Union Territories reporting full compliance, failing which Chief Secretary of the concerned State/Union Territory to be remain present before this Court on 19.08.2019.

List on 19.08.2019

C.A. No. 11938/2016

It is reported that the State of Arunachal Pradesh, Andhra Pradesh, Karnataka, Madhya Pradesh and Uttar Pradesh have not filed their compliance affidavit with respect to the Mental Health Hospitals.

Let the requisite affidavits be filed on behalf of the States mentioned above and an advance copy of the same be furnished to the learned counsel for the appellant.

List on 19.08.2019.

(NARENDRA PRASAD)
COURT MASTER

(JAGDISH CHANDER)
COURT MASTER