

ITEM NO.303

COURT NO.9

SECTION PIL

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) (Criminal) No(s).42/2013

NISHA BAGCHI &amp; ORS.

Petitioner(s)

VERSUS

UNION OF INDIA &amp; ANR.

Respondent(s)

(With appln.(s) for amendment of the petition and office report)  
(For final disposal)

Date : 20/03/2015 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MADAN B. LOKUR  
HON'BLE MR. JUSTICE UDAY UMESH LALITFor Petitioner(s) Dr. Rajeev Dhawan, Sr. Adv.  
Ms. Shobha, AOR  
Ms. Akanksha Kaushik, Adv.For Respondent(s) Mr. P.S. Patwalia, ASG  
Ms. Meenakshi Grover, Adv.  
Mr. Dhruv Sharma, Adv.  
Mr. Dhruv Sheoran, Adv.  
Mr. Archit Upadhaya, Adv.  
Ms. Sushma Suri, AORUPON hearing the counsel the Court made the following  
O R D E R

There are two prayers in the writ petition. The first prayer is for appropriate directions and guidelines to be laid down for age determination under the Juvenile Justice (Care and Protection of Children) Act, 2000 (for short "the Act"); the second prayer is for declaring Rule 12 of the Juvenile Justice (Care and

Protection of Children) Rules, 2007 (for short "the Rules") *ultra vires* Sections 68 and 7A of the Act.

Learned counsel for the petitioners submits that he has filed an application for amendment of the writ petition wherein it is stated that the Rules are also in violation of Section 49 of the Act.

Application for amendment of the writ petition is allowed and the amended writ petition is taken on record.

Learned Additional Solicitor General seeks some time to file a reply. He may do so on or before 10<sup>th</sup> of April, 2015 and rejoinder affidavit may be filed on or before 20<sup>th</sup> of April, 2015.

In the meanwhile, learned counsel for the petitioners should file written submissions and judgments in support of his contentions on or before 10<sup>th</sup> April, 2015 and the learned Additional Solicitor General should file written submissions and judgments in support of his contentions on or before 24<sup>th</sup> April, 2015.

We have also requested learned counsel for the petitioners to propose some guidelines in terms of prayer (a). The same may also be filed on or before 10<sup>th</sup> April, 2015 and be given to the learned Additional Solicitor General who may take instructions thereon.

The parties are permitted to file their written submissions and judgments in the form of spiral bound volume.

List the matter on 1<sup>st</sup> May, 2015.

(SANJAY KUMAR-I)  
COURT MASTER

(JASWINDER KAUR)  
COURT MASTER