

Most Urgent/Out at once

OFFICE OF THE PRINCIPAL DISTRICT & SESSIONS JUDGE (HQ): DELHI

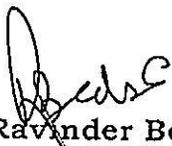
No. 1368-1487 Genl./HCS/2025

Dated, Delhi the 07 JAN. 2025

Sub : Order dated 12.10.2022 & 12.12.2024 passed by Hon'ble Supreme Court of India in Writ Petition (Civil) No. 1246/2020, titled "Ashwini Kumar Upadhyay Vs. Union of India & Ors."

A copy of the letter no. 7124-7135/DHC/Gaz.IB/G-2/SC-Judgment/2024 dated 24.12.2024, vide diary no. 2906 dated 27.12.2024, along with copy of orders dated 12.10.2022 & 12.12.2024 passed by Hon'ble Supreme Court of India in the abovesaid matter is being circulated for information and necessary compliance to :

1. All the Ld. Judicial Officers posted in Central District, Tis Hazari Courts, Delhi.
2. The Ld. Registrar General, Hon'ble High Court of Delhi, New Delhi for information.
3. PS to the Ld. Principal District & Sessions Judge (HQs), Tis Hazari Courts, Delhi for information.
4. The Chairman, Website Committee, Tis Hazari Courts, Delhi with the request to direct the concerned official to upload the same on the Website of Delhi District Courts.
5. The Director (Academics), Delhi Judicial Academy, Dwarka, New Delhi for information as requested vide letter no.DJA/Dir.(Acad)/2019/4306 dated 06.08.2019.
6. Dealing Assistant, R&I Branch for uploading the same on LAYERS.
7. For uploading the same on Centralized Website through LAYERS.


(Ravinder Bedi)

Officer-in Charge, Genl. Branch, (C)
District Judge, (Comm. Court)
Tis Hazari Courts, Delhi.

Encls. As above

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Gpccy
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IN THE HIGH COURT OF DELHI AT NEW DELHI

7124-7135

No. _____/DHC/Gaz.IB/G-2/SC-Judgment/2024

Dated: 24.12.2024

2906

27 DEC 2024

From :

The Registrar General,
High Court of Delhi,
New Delhi.

To

- ✓ The Principal District & Sessions Judge (HQ), Tis Hazari Courts Complex, Delhi.
2. The Principal District & Sessions Judge (New Delhi), Patiala House Courts Complex, New Delhi.
3. The Principal District & Sessions Judge (South-West), Dwarka Courts Complex, New Delhi.
4. The Principal District & Sessions Judge (West), Tis Hazari Courts Complex, Delhi.
5. The Principal District & Sessions Judge (East), Karkardooma Courts Complex, Delhi.
6. The Principal District & Sessions Judge (South), Saket Courts Complex, New Delhi.
7. The Principal District & Sessions Judge (Shahdara), Karkardooma Courts Complex, Delhi.
8. The Principal District & Sessions Judge (North-West), Rohini Courts Complex, Delhi.
9. The Principal District & Sessions Judge-cum-Special Judge (PC Act) (CBI), RACC, New Delhi.
10. The Principal District & Sessions Judge (South-East), Saket Courts complex, Delhi.
11. The Principal District & Sessions Judge (North-East), Karkardooma Courts Complex, Delhi.
12. The Principal District & Sessions Judge (North), Rohini Courts Complex, Delhi.

Sub : Order dated 12.10.2022 & 12.12.2024 passed by Hon'ble Supreme Court of India in Writ Petition (Civil) no. 1246/2020 titled "Ashwini Kumar Upadhyay vs. Union of India & Ors"

Sir/Madam,

I am directed to forward herewith a copy of orders dated 12.10.2022 & 12.12.2024 passed by Hon'ble Supreme Court of India in Writ Petition (Civil) no. 1246/2020 titled "Ashwini Kumar Upadhyay vs. Union of India & Ors", with the request to circulate the same amongst all the Judicial Officers working under your respective control for information and necessary compliance.

Yours faithfully,



(Vinay Sharma)
Deputy Registrar (Gazette-IB)
For Registrar General.

Encl: As above.

ITEM NO.44+32

COURT NO.1

SECTION Revised
PIL-WS 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). 1246/2020

ASHWINI KUMAR UPADHYAY

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

WITH

W.P.(C) No. 559/2020 (PIL-W)
 (FOR ADMISSION and I.R. and IA No.54129/2020-EXEMPTION FROM FILING
 O.T. and IA No.54990/2020-INTERVENTION/IMPLEADMENT and IA
 No.54131/2020-APPLICATION FOR EXEMPTION FROM FILING ORIGINAL
 VAKALATNAMA/OTHER DOCUMENT)

W.P.(C) No. 619/2020 (PIL-W)
 (FOR ADMISSION and IA No.57771/2020-PERMISSION TO APPEAR AND ARGUE
 IN PERSON)

W.P.(C) No. 782/2022 (PIL-W)
 (FOR ADMISSION)

Item 32

Writ Petition(s)(Civil) No(s). 827/2022*

Date : 12-10-2022 This petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
 HON'BLE MR. JUSTICE AJAY RASTOGI
 HON'BLE MR. JUSTICE S. RAVINDRA BHAT

For Petitioner(s) Ms. Vrinda Grover, adv.
 Mr. Ejaz Maqbool, AOR
 Mr. Shahid Nadeem, Adv.
 Ms. Akriti Chaubey, Adv.
 Mr. Saif Zia, Adv.

Mr. Rakesh Dwivedi, Sr. Adv.
 Mr. AshwaniKr. Upadhyay, Adv.
 Mr. Ashwani Kumar Dubey, AOR
 Ms. Asha Upadhyay, Adv.
 Ms. Monika Dwivedi, Adv.
 Mr. Eklavya Dwivedi, Adv.
 Mr. Arya Tripathi, Adv.

Mr. V. Shyamohan, Adv.
Mr. Akshat Gogna, Adv.
Mr. Shakti, Adv.
M/S. Kmnp Law Aor, AOR

Mr. B.L. Hansaria, Sr. Adv.
Mr. Bijan Kumar Ghosh, AOR
Mr. Ujjawal Banerjee, Adv.
Mr. Birendra Bikra, Adv.

Mr. Dhawal Uniyal, AOR
Mr. Harsh Chandela, Adv.

Mr. Sarim Naved, Adv.
Mr. Kabir Dixit, AOR
Mr. Imroz Alam, Adv.
Mr. Kamran Javed, Adv.
Ms. Bharti Tyagi, AOR

Mr. Aruneshwar Gupta, Sr. Adv.
Mr. Rajeev Singh, AOR
Mr. Abhishek Sharma, Adv.

Mr. Aman Sinha, Sr. Adv.
Mr. Maurya Vijaya Chandra, Adv.
Mr. Atulesh Kumar, AOR
Mr. Pravesh Thakur, Adv.
Mr. Raman Kr. Bharti, Adv.

Mr. Yusur H. Muchhala, Sr. Adv.
Mr. M. R. Shamshad, AOR
Mr. Arijit Sarkar, Adv.
Ms. Nabeela Jamil, adv.
Mr. Aditya Sharma, AOR

Mr. Shiv Sagar Tiwari, AOR
Mr. Ashutosh Bansal, Adv.

Mr. Nishe Rajen Shonker, AOR (kerala)
Mr. Anu K. Joy, Adv.
Mr. Alim Anvar, Adv.

Dr. Subramanian Swamy, Petitioner-in-person
Mr. Satya Sabharwal, Adv.
Mr. Vishesh Kanodia, Adv.

Mr. Barun Kumar Sinha, Adv.
Ms. Pratibha Singh, Adv.
Ms. Mudit Kaul, Adv.
Mr. Abhishek, AOR



4. Whether the Cut-off date 15.08.1947 fixed by Section 4(1) of the Act is discriminatory and manifestly arbitrary and violative of Article 14, 21, 25, 26, 29(1) of the Constitution of India as for approximately 4 centuries prior to the said date the people of India were not free and subjects of initially the Mughal invaders and thereafter of British imperialists and were not in a position to seek retrieval and reconstruction and when independence was achieved by India on 15-08-1947 the said date has been chosen to silence the Hindus and prevent them from retrieving the rebuilding their prime temples and to undo the deprecatory destruction of those temples.

5. Whether the second part of section 4(2) which bars suits, appeals and other legal proceedings with respect to reclamation of place of worship is violative of article 14, 21, 25, 26, 29(2) in as much as it denies access to the Court of Justice for peaceful resolution of disputes and redressal of wrongs committed by Muslim invaders on religious grounds by use of force? Can such an absolute bar be created without creating any alternate forum for settlement of such disputes for in its absence the Basic Feature of Rule of Law and Judicial Review would stand destroyed.

6. Whether Section 4(2) of the Act is violative of Articles 14, 21, 25, 26 and 29 (2) of the Constitution in as much as it mandates the abatement of pending disputes in relation to place of worships in the Courts and thereby legislatively perpetuates the destructions of prime temples and the building of structures on the temple land by use of temple materials by the Muslim invaders by use of force resulting in adversely impacting the fundamental rights of Hindus to religion and worship.?

7. Whether the second part of Section 4 sub-section 2 aforementioned would envelop proceedings under Article 226 and Article 32, which is a fundamental right under the Constitution, for it is a settled law that legislatures have no power to shut out the operation of the said provisions embodying powers of judicial review. [(1997) 3 SCC 261, L Chandra Kumar; (2007) 2 SCC 1 I R Coelho].

8. Whether the proviso to Section 4(2) which allows suits, appeals and legal proceedings to continue whether conversion has taken place in the religious character of place of worship after 15.8.47 despite its potentiality to disturb public order, and breach communal harmony whilst shutting out litigations relating to conversions which took place in the past as a result of invaders atrocities amounts to hostile discrimination as between

1991 even forecloses the possibility of remedying this injustice which is contrary to our constitutional scheme which recognizes the need to remedy this generation injustice.

Affirmative action to historically disadvantaged is a basic thread which runs through the constitution and is evident in affirmative action to historically oppressed and disadvantaged groups such as SC/ST/Women as reflected in Articles 15,16, 17 & Article 243d of the Constitution of India. However, the Places of Worship Act, 1991 runs absolutely contrary to this concept of intergenerational Justice and instead of providing intergeneration justice it perpetrates intergenerational injustice among Hindus.

Considering the huge number of hindu temples which were barbarically demolished this issue is connected to the collective identity of Hindus and their fundamental right to assert their religious identity as guaranteed under Article 25 of the Constitution and Places of Worship Act, 1991 is an affront to this collective identity of Hindus.

2. Places of Worship Act, 1991 is a completely colourable piece of legislation garbed as a secular enactment but directed towards Hindus. There is little or no example to my knowledge where an original Muslim place of worship is demolished by Hindus prior to 15th August, 1947 or even thereafter, therefore this is a totally colorable piece of legislation which runs contrary to basic structure of the Constitution of India."

II

On the last occasion, Mr. Tushar Mehta, learned Solicitor General had prayed for time to place his submissions on record by way of an affidavit in response. Learned Solicitor General prays for further time of two weeks to do the needful. Let the affidavit in that behalf be filed on or before 31.10.2022.

III

ITEM NO.301

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 (Civil) No. 1246/2020

24112129

ASHWINI KUMAR UPADHYAY

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(IA No. 9696/2024 - APPLICATION FOR CONDONATION OF DELAY IN FILING, THE APPLICATION FOR SETTING ASIDE THE ABATEMENT, IA No. 9695/2024 - APPLICATION FOR SUBSTITUTION, IA No. 171743/2022 - INTERVENTION APPLICATION and IA No. 87567/2024 - INTERVENTION APPLICATION)

WITH

W.P.(C) No. 559/2020 (PIL-W)

W.P.(C) No. 619/2020 (PIL-W)

(FOR ADMISSION and IA No.57771/2020-PERMISSION TO APPEAR AND ARGUE IN PERSON)

W.P.(C) No. 827/2022 (PIL-W)

W.P.(C) No. 782/2022 (PIL-W)
(FOR ADMISSION)

W.P.(C) No. 891/2022 (PIL-W)
(FOR ADMISSION)

Certified to be true Copy

Assistant Registrar (JudL)

16/12/2024
Supreme Court of India

Date : 12-12-2024 These matters were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE SANJAY KUMAR
HON'BLE MR. JUSTICE K.V. VISWANATHAN

For Petitioner(s)

Mr. Barun Kumar Sinha, Adv.
Mrs. Pratibha Sinha, Adv.
Mr. Sneh Vardhan, Adv.
Mr. Rakesh Mudgal, Adv.
Mr. Pankaj Kumar Shukla, Adv.
Mr. Chhail Bihari Singh, Adv.
Mr. Ritu Raj, Adv.
Mrs. Kanika, Adv.
Mr. Abhishek, AOR

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Mr. Raju Ramachandran, Sr. Adv.
Mr. Yusuf Hatim Muchhala, Sr. Adv.
Ms. Vrinda Grover, Adv.
Mr. Ejaz Maqbool, AOR
Mr. Sagheer A. Khan, Adv.
Mr. Shahid Nadeem, Adv.
Mr. Mujahid Ahmed, Adv.
Mr. Soutik Banerjee, Adv.
Mr. Vikram Narayan, Adv.
Mr. Saif Zia, Adv.
Mr. Aqil Khan, Adv.

Mr. Rakesh Dwivedi, Sr. Adv.
Mr. Vikas Singh, Sr. Adv.
Mr. Ashwini Kumar Upadhyay, Adv.
Mr. Ashwani Kumar Dubey, AOR
Ms. Deepika Kaliya, Adv.
Ms. Vasudha Singh, Adv.
Mr. Chandra Shekhar, Adv.
Ms. K. Tanushree Rao, Adv.
Ms. Samiksha Sharma, Adv.

Mr. Vijay Hansaria, Sr. Adv.
Mr. Anjani Kumar Mishra, AOR
Mrs. Hardeep Mishra, Adv.
Mr. Praveen Mishra, Adv.
Mr. Krishna Gopal Mishra, Adv.
Mr. Tejasvi Goel, Adv.

Dr. Subramanian Swamy,
Petitioner-in-person

Petitioner-in-person

Mr. Maninder Singh, Sr. Adv.
Mr. Hari Shankar Jain, Adv.
Mr. Vishnu Shankar Jain, AOR
Ms. Ashita Chawla, Adv.
Mr. Shourya Krishna, Adv.
Ms. Mani Munjal, Adv.
Ms. Marbiang Khongwir, Adv.
Mr. Parth Yadav, Adv.
Mr. Rangasaran Mohan, Adv.
Mr. Amarpal Singh Dua, Adv.

For Respondent(s)/
Applicant(s)

Mr. Raju Ramachandran, Sr. Adv.
Mr. Yusuf Hatim Muchhala, Sr. Adv.
Ms. Vrinda Grover, Adv.
Mr. Ejaz Maqbool, AOR
Mr. Shahid Nadeem, Adv.

Mr. Sagheer A. Khan, Adv.
Mr. Mujahid Ahmed, Adv.
Mr. Soutik Banerjee, Adv.
Mr. Vikram Narayan, Adv.
Mr. Saif Zia, Adv.
Mr. Aqil Khan, Adv.

Mr. Tushar Mehta, S.G.
Mr. K.M. Nataraj, A.S.G.
Mr. Kanu Agrawal, Adv.
Mr. Shailesh Madiyal, Adv.
Mr. Sandeep Kumar Mahapatra, Adv.
Mr. Arvind Kumar Sharma, AOR

Ms. Sonia Mathur, Sr. Adv.
Ms. Ashmita Bisarya, Adv.
Mr. Chandra Shekhar, Adv.
Mr. Nirmal Kumar Ambastha, AOR

Mr. Sanjay R. Hegde, Sr. Adv.
Mr. Anas Tanwir, AOR
Mr. Ebad Ur Rahman, Adv.
Ms. Masoom Raj Singh, Adv.
Ms. Zainab Sheikh, Adv.
Mr. Zaid Raza, Adv.
Mr. Mayank Suryan, Adv.
Mr. Ashish Kumar, Adv.

Mr. Ashok Mehta, Sr. Adv.
Mr. Rakesh Mishra, AOR
Mr. Pankaj Dubey, Adv.
Mr. Alok Kumar Pandey, Adv.
Ms. Kiran Pandey, Adv.
Mr. Pratyaksh Semwal, Adv.

Mr. Rizwan Merchant, Adv.
Mr. Shubail Farook, Adv.
Mr. Anurag Tandon, AOR

Mr. Vijay Hansariya, Sr. Adv.
Mr. Bijan Kumar Ghosh, AOR
Mr. Ujjwal Banerjee, Adv.
Mr. Sujoy Mondal, Adv.

Mr. Guntur Pramod Kumar, AOR
Ms. Purna Singh, Adv.
Mr. Dhruv Yadav, Adv.

Mr. Raju Ramachandran, Sr. Adv.
Mr. Yusuf Hatim Muchhala, Sr. Adv.
Ms. Vrinda Grover, Adv.

9

Mr. Ejaz Maqbool, AOR
Mr. Shahid Nadeem, Adv.
Mr. Sagheer A. Khan, Adv.
Mr. Mujahid Ahmed, Adv.
Mr. Soutik Banerjee, Adv.
Mr. Vikram Narayan, Adv.
Mr. Saif Zia, Adv.
Mr. Aqil Khan, Adv.

Ms. Nitya Ramakrishnan, Sr. Adv.
Ms. Rupali Samuel, Adv.
Mr. Yash S. Vijay, AOR ,
Ms. Stuti Rai, Adv.
Ms. Pooja B Mehta, Adv.

Mr. Kabir Dixit, AOR

Mr. Salman Khurshid, Sr. Adv.
Mr. Sarim Naved, Adv.
Mr. Saurabh Sagar, Adv.
Mr. Zeeshan Ahmad, Adv.
Ms. Lubna Naz, Adv.
Ms. Sugandha Anand, AOR

Mr. Huzefa A. Ahmadi, Sr. Adv.
Mr. Ibad Mushtaq, Adv.
Ms. Akanksha Rai, Adv.
Mr. Mohammad Nizamuddin Pasha, Adv.
Ms. Gurneet Kaur, Adv.
Ms. Rashmi Singh, Adv.
Ms. Rupali Samuel, Adv.
Mr. Fuzail Ahmad Ayyubi, AOR

Mr. C.U. Singh, Sr. Adv.
Mr. Ujjwal Singh, AOR
Ms. Tasmiya Taleha, Adv.
Ms. Bidya Mohanty, Adv.
Ms. Viddusshi Shandilya, Adv.
Ms. Katyayani Suhrud, Adv.
Mr. Abhishek Kalaiyarasan, Adv.

Mr. Aruneshwar Gupta, Sr. Adv.
Mr. Keshav Kumar, Adv.
Mr. Abhishek Sharma, Adv.
Mr. Rajeev Singh, AOR

Mr. J. Sai Deepak, Sr. Adv.
Mr. V. Shyamohan, Adv.
Ms. Shaktiki Sharma, Adv.
Mr. Avinash Sharma, Adv.
Ms. Anshika Bajpai, Adv.

M/s. KMNP Law, AOR

Mr. Dhawal Uniyal, AOR
Mr. Azad Singh Khokher, Adv.
Mr. Kislay Panday, Adv.

Ms. Pinky Anand, Sr. Adv.
Mr. Balendu Shekhar, Adv.
Ms. Saudamini Sharma, Adv.
Mr. Sampat Pasriccha, Adv.
Mr. Rajkumar Maurya, Adv.
Ms. Nayoleeka Purty, Adv.
Mr. Jayant Kashyap, Adv.
Mr. Sumit Teterrwal, AOR

Ms. Bharti Tyagi, AOR
Mr. Vikash Kumar, Adv.
Mr. D.K. Singh, Adv.

Mr. Dushyant A. Dave, Sr. Adv.
Mr. Akshat Malpani, Adv.
Ms. Ayushi Gaur, Adv.
Mr. Krishna Kumar Singh, AOR

Mr. Aman Sinha, Sr. Adv.
Mr. Atulesh Kumar, AOR
Ms. Nupoor Sinha, Adv.
Mr. Maurya Vijay Chandra, Adv.
Mr. S.N. Shrivastav, Adv.
Mr. Santosh Kumar, Adv.
Ms. Bhavya Tyagi, Adv.
Ms. Astha Arya, Adv.

Ms. Tasneem Ahmadi, Adv.
Mr. Mehmood Pracha, Adv.
Mr. R.H.A. Sikander, AOR
Mr. Jatin Bhatt, Adv.
Ms. Mahima Rathi, Adv.
Ms. Pragya Rathi, Adv.
Mr. Sanawar Choudhary, Adv.
Mr. Kshitij Singh, Adv.
Ms. Nuzhat Naseem, Adv.
Ms. Sadiya Sultan, Adv.
Mr. Mohd. Saleem, Adv.
Mr. Mohd. Khurshid, Adv.
Mr. Faisal Mohammad, Adv.
Mr. Mohd. Danish, Adv.
Mr. Mohd. Shameem, Adv.
Mr. Mohd. Hasan, Adv.
Ms. Heema Sahoo, Adv.

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Mr. Aditya Sharma, AOR

Dr. Abhishek Manu Singhvi, Sr. Ad.
Ms. Fauzia Shakil, AOR
Mr. Amit Bhandari, Adv.

Mr. Shiv Sagar Tiwari, AOR

Mr. Haris Beeran, Adv.
Mr. Azhar Assees, Adv.
Mr. Anand B. Menon, Adv.
Mr. Radha Shyam Jena, AOR

Mr. Guru Krishna Kumar, Sr. Adv.
Mr. Nachiketa Joshi, Sr. Adv.
Mr. Ashutosh Dubey, Adv.
Mr. Santosh Kumar, Adv.
Mr. Praneet Pranav, Adv.
Mrs. Rajshri Dubey, Adv.
Mr. Abhishek Chauhan, Adv.
Mr. Rahul Tanwani, Adv.
Mr. Vikash Shukla, Adv.
Mr. Amit P Shahi, Adv.
Mr. Sudipto Sircar, Adv.
Ms. Aditi Tripathi, Adv.
Mr. Amit Kumar, Adv.
Mr. Amit Sharma, Adv.
Mr. Raghu Vamsy, Adv.
Ms. Sindhoora VNL, Adv.
Mr. Aishwarya Vikram, Adv.
Mr. Shashibhushan Nagar, Adv.
Mr. Rahul Sethi, Adv.
Mr. H.B. Dubey, Adv.
Mr. Manish Dhingra, Adv.
Mr. Gaurav Yadav, Adv.
Ms. Smridhi Varma, Adv.
Mr. Ashutosh Dubey, AOR

Mr. P.V. Dinesh, Sr. Adv.
Mr. Zulfiker Ali P.S., AOR
Mr. Mohammad Thoyyib Hudawi, Ad
Ms. Lakshmi Sree P., Adv.
Ms. Lebina Baby, Adv.

Mr. Salman Khurshid, Sr. Adv.
Mrs. Vibha Datta Makhija, Sr. A
Mr. Shariq Ahmed, Adv.
Mr. Talha Abdul Rahman, Adv.
Mr. Tariq Ahmed, Adv.
Ms. Lubna Naaz, Adv.
Mr. Karan Mangain, Adv.

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M/s. Ahmadi Law Offices, AOR

Applicant-in-person, AOR

Mr. Gaurav Bhatia, Sr. Adv.
Mr. Sadashiv, AOR
Mr. Rajendra Prasad Swarnkar, Adv.
Mr. Ashish Singh, Adv.
Mr. Fatesh Kumar Sahu, Adv.
Mr. Devendra Kumar Gupta, Adv.
Mr. Sachin Agarwal, Adv.
Mr. Ashish Kumar Pandey, Adv.
Ms. Pushpa Gupta, Adv.
Mr. Nempal Singh, Adv.
Ms. Vandana, Adv.
Ms. Charanjeet Sidhu, Adv.

Mr. Mansoor Ali, AOR

Mr. Anoop Prakash Awasthi, Adv./AOR
Mr. Subhash Jha, Adv.
Mr. Siddharth Jha, Adv.
Ms. Apeksha Sharma, Adv.
Mr. Sumeet Upadhyay, Adv.
Ms. Shruti Yadav, Adv.

Ms. Indira Jaising, Sr. Adv.
Ms. Disha Wadekar, Adv.
Mr. Yash S. Vijay, Adv./AOR
Mr. Paras Nath, Adv.
Mr. Sadeeq, Adv.
Mr. Rohin Bhat, Adv.

Mr. Shadan Farasat, Sr. Adv.
Mr. Harshit Anand, Adv.
Mr. Abhishek Babbar, Adv.
Mr. Sanman Vardhan Gautam, Adv.
Mr. Yash S. Vijay, Adv./AOR

Mr. C.S. Vaidyanathan, Sr. Adv. **

Mr. Mukul Rohatgi, Sr. Adv. **

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

All applications for intervention/impleadment are allowed,
subject to all just exceptions.

The amended memo of parties will be filed within four weeks

from today.

The Union of India, which has not filed its counter affidavit reply, shall file the same within four weeks from today.

It is noted that in Writ Petition (Civil) No. 782/2022, which seeks the implementation and enforcement of the Places of Worship (Special Provisions) Act, 1991,¹ notice was issued, vide order dated 09.09.2022. A counter affidavit/reply has not yet been filed.

As noted in the order dated 11.07.2023, it has been stated on behalf of the Union of India that a common affidavit in reply and response to the entire batch of cases will be filed.

Copies of the said counter affidavit/reply will be served on the petitioners and the respondents, who may file their rejoinder(s)/response(s) thereto within four weeks from the date of service of the counter affidavit/reply.

Once filed, a copy of the said counter affidavit/reply of the Union of India shall be uploaded on the Google Drive link to be created by Mr. Kanu Agarwal, Advocate-on-Record, who is the Nodal Counsel for the Union of India in the present matter. The said link will then be circulated to all the concerned Advocates-on-Record in the present case, including those for the newly impleaded parties.

Mr. Vishnu Shankar Jain, Advocate-on-Record, is appointed as the Nodal Counsel on behalf of the writ petitioners challenging the validity of the 1991 Act. Mr. Ejaz Maqbool, Advocate-on-Record, is appointed as the Nodal Counsel on behalf of the petitioners/intervenors who seek enforcement of the 1991 Act or are

¹ For short, "The 1991 Act."

(14)

WP(C) No. 1246/2020 etc

opposing the writ petitions challenging the validity of the 1991 Act.

All the pleadings/documents to be filed in the present matter shall also be sent to the Nodal Counsel on the email id: inrewritpetition559of2020@gmail.com. All the Nodal Counsel will have access to the said email ID to facilitate coordination.

This Court, vide order dated 12.10.2022, had referred to the submissions of the parties, formulating several questions of law.

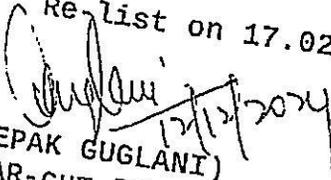
During the course of the hearing, it was pointed out that several other aspects and issues would also arise for consideration.

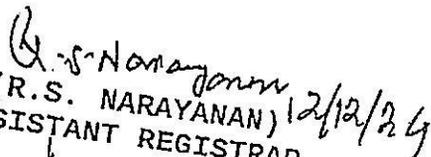
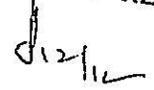
The primary issue, that arises for consideration, is with regard to Sections 3 and 4 of the 1991 Act and its contours, as well as the width and expanse of the said provisions.

As the matter is *sub judice* before this Court, we deem it appropriate to direct that, though fresh suits may be filed, no suits would be registered and no proceedings shall be undertaken therein till further orders of this Court.

Further, in the pending suits, no Court will pass any effective interim orders or final orders, including orders directing surveys, etc., till the next date of hearing/further orders of this Court.

Re List on 17.02.2025.


EPAK GUGLANI
AR-cum-PS


(R.S. NARAYANAN) 12/12/24
ASSISTANT REGISTRAR


online appearance/physical appearance slip not received.