

ITEM NO.9

COURT NO.3

SECTION PIL-W

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). 348/2022

BENAZEER HEENA

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(FOR ADMISSION

IA No. 87813/2022 - INTERVENTION/IMPLEADMENT

IA No. 76348/2022 - INTERVENTION/IMPLEADMENT

IA No. 87814/2022 - PERMISSION TO APPEAR AND ARGUE IN PERSON)

WITH

W.P.(C) No. 603/2022 (PIL-W)

(FOR ADMISSION)

Date : 29-08-2022 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
HON'BLE MR. JUSTICE ABHAY S. OKA

For Parties

Mr. Shyam Divan, Sr. Adv.
Mr. Ashwini Kumar Upadhyay, Adv.
Ms. Asha Upadhyay, Adv.
Ms. Udayita Banerjee, Adv.
Ms. Sudipta Sircar, Adv.

Ms. Sonia Mathur, Sr. Adv.
Mr. Ashutosh S. S. Saluja, Adv.
Mr. N. C. Jaiswal, Adv.
Ms. Prerna Dhall, Adv.
Mr. Ashwani Kumar Upadhyay, AOR

Mr. Ranjit Kumar, Sr. Adv.
Mr. Ashutosh Dubey, AOR
Mr. Rajshri Dubey, Adv.
Mr. Abhishek Chauhan, Adv.
Mr. H. B. Dubey, Adv.
Mr. Amit P. Shahi, Adv.
Mr. Manish Bhandari, Adv.
Mr. Amit Kumar, Adv.

Mr. A. N. S. Nadkarni, Sr. Adv.
Mr. Atulesh Kumar Upadhyay, AOR

Ms. Bharti Tyagi, AOR
Mr. Ashwani Updhayay, Adv.

Mr. Sanjeev Tyagi, Adv.

Ms. Pinky Anand, Sr. Adv.

Mr. Aditya Sharma, AOR

Mr. Saudamini Sharma, Adv.

Mr. Asees Jasmine Kaur, Adv.

Ms. Shahrukh Alam, Adv.

Mr. Talha Abdul Rahman, AOR

Mr. M. Shaz Khan, Adv.

Ms. Sitwat Nabi, Adv.

Mr. Harsh Vardhan Kediya, Adv.

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

Writ Petition (Civil) No.348/2022

Learned senior counsel for the petitioner on instructions states that Writ Petition(C) No.10280/2022 was withdrawn before the Delhi High Court on 28.8.2022.

In respect of the observations of this Court in its order dated 16.8.2022, in the second paragraph, learned counsel submits that the petitioner is open to exploring settlement as observed and in view thereof the husband may be impleaded as respondent No.9 and for the time being notice be only issued to respondent No.9 to explore that possibility.

The request acceded to. The Amended memo of parties be filed within three days. Let notice be issued to respondent No.9 alone at this stage returnable on 11th October, 2022.

Dasti, in addition, is also permitted.

W.P.(C) No. 603/2022

Learned counsel for the petitioner submits in the context of orders passed by us in Writ Petition (Civil) No.348/2022 that the

present case also is one of Talaq-E-Hasan and the first whatsapp message was received on 04.7.2022 repeating the words "Talak dia" twice. Thereafter, learned counsel states that at 09:58 a.m. today, what is claimed to be third time, the words used are "Tumhe tisara talak diya" has been sent and apart from all other pleas, even the process of giving the first two talaqs at the same time is not as per Talaq-E-Hasan.

The suggestion for the time being is that the husband be impleaded as respondent No.10 and notice be issued to the husband keeping in mind the spectrum of controversy in other special leave petition.

We accede to the request and amended memo of parties be filed within three days. Let notice be issued at present only to respondent No.10, returnable on 11th October, 2022.

Dasti, in addition, is also permitted.

(RASHMI DHYANI PANT)
COURT MASTER

(POONAM VAID)
COURT MASTER