

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) (Civil) No(s). 376/2026

MAHERAVISH REIN

Petitioner(s)

VERSUS

UNION OF INDIA &amp; ORS.

Respondent(s)

Date : 14-07-2026 This petition was called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE JOYMALYA BAGCHI  
HON'BLE MRS. JUSTICE V. MOHANA

For Petitioner(s) : Petitioner-in-person

For Respondent(s) :

UPON hearing the counsel the Court made the following

O R D E R

1. The instant Writ Petition has been instituted in public interest. The Petitioner, who appeared in-person and is a practising Advocate before this Court, seeks the following reliefs:

"a. Issue an appropriate writ, order or direction declaring that the effective enforcement of fundamental rights guaranteed under Article 21 of the Constitution of India necessarily requires timely and meaningful access to constitutional courts, particularly in situations involving imminent threats to life and personal liberty.

b. Issue appropriate directions or guidelines to ensure the establishment of an institutional

mechanism enabling urgent access to constitutional courts for matters involving life, liberty and other fundamental rights, including outside ordinary court hours, weekends and public holidays.

c. Issue appropriate directions to the High Courts of the country, through their respective Registrars General, to evolve suitable procedures or rosters for the hearing of urgent matters involving fundamental rights beyond regular court hours, wherever necessary.

d. Issue appropriate directions for the creation of Emergency Constitutional Benches or designated duty judges, accessible through electronic filing and digital platforms, for urgent matters involving imminent threats to life, liberty and fundamental rights.

e. Exercise the powers of this Hon'ble Court under Article 142 of the Constitution of India to frame appropriate guidelines or institutional mechanisms ensuring effective access to constitutional remedies under Article 32 of the Constitution of India and Article 226 of the Constitution of India in urgent situations involving imminent violations of fundamental rights, until appropriate rules or procedures are framed by the competent authorities.

f. Issue such further directions as this Hon'ble Court may deem appropriate for strengthening the

accessibility and effectiveness of constitutional remedies across all jurisdictions in India.

g. Pass any other order or direction which this Hon'ble Court may deem fit and proper in the interest of justice, protection of fundamental rights and the advancement of access to justice."

2. In substance, the Writ Petition projects is that the institutional framework of Constitutional Courts in India is confined to designated court hours, working days and periodic vacation benches, and that no uniform, permanent mechanism presently exists to ensure continuous judicial accessibility for urgent matters involving life and personal liberty, particularly during nights, weekends, holidays and court recesses.
3. As a result, the Petitioner has urged that individuals confronted with illegal detention, imminent demolition of homes, deportation proceedings, custodial violence, or any such comparable executive action affecting their liberty are left with limited practical means of approaching a Constitutional Court in time, notwithstanding that the remedies under Articles 32 and 226 of the Constitution remain available to them at all times.
4. The Petitioner has highlighted the consistent recognition by this Court that access to justice forms an intrinsic component

of the guarantees contained in Articles 14 and 21 of the Constitution.

5. We have heard the Petitioner-in-person and perused the record. The concern that animates the present petition, namely, that access to constitutional remedies ought not to be held hostage to the clock, is one with which we find ourselves in complete agreement, and it is a concern that this Court has remained committed to addressing. We are of the considered view that most of the safeguards the Petitioner seeks to have put in place are already in motion within the judicial system, and it may be of assistance to set these out.
6. To begin with, the process of e-filing, operational across the Supreme Court of India and the High Courts, permits a litigant to institute proceedings electronically at any hour of the day or night, from any location, without being constrained by the physical opening or closing of court premises. The e-filing portals and the Integrated Case Management Information System function on a continuous basis, and a petition, once electronically filed, is registered and processed notwithstanding the time of its submission. Coupled with this, the availability of virtual hearing infrastructure, which is now well embedded in the working of Constitutional Courts, ensures that the physical opening of a courtroom is not a precondition for a matter to be heard. A litigant apprehending an imminent violation of liberty is not required to physically

approach a courtroom; the remedy travels wherever the litigant may be.

7. It would also be apposite to clarify the position regarding the listing of urgent matters by the Registry, on which the petitioner has expressed certain apprehensions. We deem it appropriate to note that, in terms of Circular F. No. 20/Judl./2025 and F. No. 21/Judl./2025 dated 29.11.2025, urgent matters involving the liberty of an individual are accorded due priority in listing and, subject to the removal of office objections, if any, are ordinarily listed for hearing within next two working days. The Circulars further provide a dedicated mechanism for matters of exceptional urgency, which cannot await listing in the ordinary course. In such cases, the concerned party is required to submit a Mentioning Proforma along with a Letter of Urgency to the Mentioning Officer, who places the request before the Registrar (Judicial Listing) for obtaining appropriate orders from the Hon'ble the Chief Justice of India. Moreover, a designated Vacation Officer is appointed every month to facilitate the hearing of matters of urgent nature on Saturdays, court holidays and after court hours on working days. The details of the designated officer, including the relevant contact particulars, are published on the official website of this Court. The existence of such a structured mechanism sufficiently demonstrates that matters involving exceptional urgency are capable of being brought before the Court without avoidable delay.

8. We may also observe that Constitutional Courts in this country have never been reticent about sitting at odd and extended hours whenever the gravity of a matter has so demanded. It is a matter of judicial record that this Court has, whenever the exigencies of justice have so required, convened hearings beyond its notified working hours, including late into the night, during the early hours of the morning, and on weekends, to consider matters involving imminent threat to life and liberty. It is equally well established that, during periods of partial court working days, appropriate Benches are constituted to hear urgent matters, thereby ensuring that judicial remedies remain continuously available notwithstanding the regular court calendar. These instances are illustrations of an institutional ethos by which Constitutional Courts have consistently demonstrated their readiness to convene beyond ordinary hours whenever matters touching upon life and personal liberty, are brought to their notice.

9. We may also hasten to add that the office of the Chief Justice of India, as also the offices of the Chief Justices of the respective High Courts, remain open to receive representations from litigants and members of the public at any time. It is a well-established and frequently availed practice for litigants, whether through counsel or in person, to address urgent representations to the Chief Justice highlighting matters requiring immediate judicial attention, and appropriate administrative and judicial action, including special listing, is routinely taken upon such representations being received.

10. We find it appropriate to mention that judicial administration necessarily requires a careful balance between ensuring immediate access to justice and maintaining an orderly system of roster allocation and case management. The institutional mechanisms presently in place preserve that balance while simultaneously ensuring that no litigant is denied access to constitutional remedies simply because the grievance arises beyond ordinary court hours.
11. In view of the foregoing discussion, we find that the substratum of the grievance raised in the instant Petition have already been adequately addressed by the existing institutional, procedural and technological framework governing access to constitutional courts. We, however, place on record that it shall be open to the Petitioner, or to any other stakeholder, to make an appropriate representation to the Registrar General(s) of the concerned High Court(s), or to the Chief Justice of India/Chief Justices of the High Courts, as the case may be, in relation to any particular grievance experienced in practice, and such representation, if made, shall be considered on its own merits in accordance with law.
12. With these clarifications, the Writ Petition, along with the pending Interlocutory Application, if any, is disposed of, accordingly.

(NITIN TALREJA)  
ASTT. REGISTRAR-cum-PS

(PREETHI DILEEP KUMAR)  
DY. REGISTRAR