

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

Petition(s) for Special Leave to Appeal (C) No(s). 10404/2023

(Arising out of impugned final judgment and order dated 04-05-2023 in CWJC No. 5542/2023 passed by the High Court Of Judicature At Patna)

THE STATE OF BIHAR & ORS. Petitioner(s)

VERSUS

YOUTH FOR EQUALITY & ORS. Respondent(s)

(IA No.101874/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.101875/2023-EXEMPTION FROM FILING O.T. and IA No.104645/2023-INTERVENTION/IMPLEADMENT)

Date : 18-05-2023 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ABHAY S. OKA
HON'BLE MR. JUSTICE RAJESH BINDAL

For Petitioner(s) Mr. Shyam Divan, Sr. Adv.
Mr. P.K. Sahi, AG Bihar, Adv.
Mr. Manish Kumar, AOR

For Respondent(s) Mr. Mukul Rohtagi, Sr. Adv. (N.P.)
Ms. Aparajita Singh, Sr. Adv.
Mr. Rahul Pratap, AOR
Ms. Vrinda Bhandari, Adv.
Ms. Pragya Barsaiyan, Adv.
Mr. Madhav Aggarwal, Adv.

Mr. Vikas Singh, Sr. Adv.
Ms. Deepika Kalia, Adv.
Mr. Keshav Khandelwal, Adv.
Mr. Barun Sinha, Adv.
Mr. Ritu Raj, Adv.
Ms. Tanya Shree, AOR
Mr. Niraj Kumar, Adv.

Mr. Yadunandan Bansal, Adv.
Mr. Upendra Kumar, Adv.
Ms. Harisha SR, Adv.

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

We have heard Mr. Shyam Divan, learned senior counsel appearing for the respondents-State.

The impugned order is an interim order passed by the High Court and as is clear from the said order, the High Court has posted the CWJC No.5542 of 2023 for hearing on 03.07.2023. In fact, the State Government moved applications before the High Court which were disposed of by the Order dated 09.05.2023. The High Court specifically rejected the contention of the Advocate General that final opinion has been expressed in the impugned order. The High Court goes to the extent of observing that the said Court is open to conviction, when the matter is heard finally on 03.07.2023.

After arguing the matter for some time, Mr. Shyam Divan, learned senior counsel appearing for the Petitioners, submits that this petition be listed one week after the 3rd of July, 2023. He prays that if for any reason, the writ petition is not taken up for final hearing by the High Court on 03.06.2023 this Court may consider this petition on merits.

Accordingly, we direct that this petition shall be listed on 14th July, 2023. If for any reason, the hearing of the said writ petition does not commence before the next date, we will hear the the further submission to be canvassed by the learned senior counsel on merits.

IA No.104645/2023 - For the reasons stated therein, the application for impleadment is allowed.

As prayed, we permit the petitioner to file additional documents.

Liberty is also granted to the respondent(s) to file copies of those documents which are on record before the High Court but which are not part of the Special Leave Petition.

(MAHABIR SINGH)
ASTT. REGISTRAR-cum-PS

(AVGV RAMU)
COURT MASTER (NSH)