

ITEM NO.38

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.1229/2021

HAFIZ NAUSHAD AHMAD AZMI

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(With IA No.11773/2022 - EXEMPTION FROM FILING AFFIDAVIT, IA No. 149701/2021 - EXEMPTION FROM FILING AFFIDAVIT, IA No.145020/2021 - EXEMPTION FROM FILING AFFIDAVIT, IA No.114435/2022 - EXEMPTION FROM FILING AFFIDAVIT, IA No.40921/2022 - EXEMPTION FROM FILING O.T., IA No.181771/2022 - EXEMPTION FROM FILING O.T., IA No.70464/2022 - EXEMPTION FROM FILING O.T., IA No.45891/2022 - EXEMPTION FROM FILING O.T., IA No.15649/2023 - INTERVENTION/IMPLEADMENT, IA No.149700/2021 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES and IA No.145017/2021 - STAY APPLICATION)

Date : 27-03-2023 These matters were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE PAMIDIGHANTAM SRI NARASIMHA
HON'BLE MR. JUSTICE J.B. PARDIWALA

For Petitioner(s) Mr. Talha Abdul Rahman, AOR
Mr. Mohd Shaz Khan, Adv.
Ms. Gayatri Dahiya, Adv.

For Respondent(s) Mr. Tushar Mehta, SG
Mr. K.M. Nataraj, ASG
Mr. Kanu Agrawal, Adv.
Mr. Sandeep Kumar Mahapatra, Adv.
Mr. Madhav Sinhal, Adv.

Mrs. Swati Ghildiyal, Adv.

Mr. Amrish Kumar, AOR

Ms. Jyoti Mendiratta, AOR

Mr. Vishwa Pal Singh, AOR

M/s. Shakil Ahmad Syed

Mr. Aravindh S., AOR

Ms. Uma Bhuvaneshwari C., Adv.

Mr. Abbas, Adv.

Dr. Manish Singhvi, Sr. Adv.

Ms. Awantika Manohar, AOR

Mr. S. Udaya Kumar Sagar, AOR

Ms. Madhumita Bhattacharjee, AOR

Ms. Urmila Kar Purkayastha, Adv.

Ms. Arushi Mishra, Adv.

Mr. Sandeep, Adv.

Mr. Mahfooz Ahsan Nazki, AOR

Mr. Debojit Borkakati, AOR

Ms. K. Enatoli Sema, AOR

Ms. Limayinla Jamir, Adv.

Mr. Amit Kumar Singh, Adv.

Ms. Chubalemla Chang, Adv.

Mr. Prang Newmai, Adv.

Mr. Manish Kumar, AOR

Mr. S.C. Verma, Sr. Adv.

Mr. Sumeer Sodhi, AOR

Mr. Prannoy Joe Sebastin, Adv.

Ms. Swati Ghildiyal, Adv.

Ms. Divyani Bhatt, Adv.

Ms. Deepanwita Priyanka, AOR

Mr. Tapesb Kumar Singh, A.A.G.
Mr. Shantanu Sagar, AOR

Mr. Shailesh Madiyal, AOR
Mr. G.M. Kawoosa, Adv.
Mrs. Palak Mittal, Adv.

Mr. Shubhranshu Padhi, AOR
Mr. Vishal Banshal, Adv.
Mrs. Rajeshawari Shankar, Adv.
Mr. Niroop Sukirithy, Adv.

Mr. Harshad V. Hameed, AOR
Mr. Dileep Poolakkot, Adv.
Mr. Mr. Subhash Chandran K.r., Adv.
Mrs. Ashly Harshad, Adv.

Mr. Aaditya Aniruddha Pande, AOR
Mr. Siddharth Dharmadhikari, Adv.
Mr. Bharat Bagla, Adv.
Mr. Sourav Singh, Adv.

Mr. Vinod Ghai, Sr. Adv.
Mr. Ajay Pal, AOR
Ms. Kanika Ahuja, Adv.
Mr. Prashant Manchanda, Adv.
Mr. Mayank Dahiya, Adv.
Ms. Sugandh Rathor, Adv.
Ms. Priyanka C., Adv.

Mr. Shuvodeep Roy, AOR
Mr. Deepayan Dutta, Adv.
Mr. Sai Shashank, Adv.

Mr. D. Kumanan, AOR
Mr. Sheikh F Kalia, Adv.
Mrs. Deepa. S, Adv.
Ms. Racheeta Chawala, Adv.
Ms. Divya Singh, Adv.

Mr. Pradeep Misra, AOR
Mr. Daleep Dhyani, Adv.

Mr. Anuroop Chakravarti, Adv.
Mr. Manoj Kumar Sharma, Adv.
Mr. Suraj Singh, Adv.
Mr. Bhuwan Chandra, Adv.

Ms. Astha Sharma, AOR
Mr. Srisatya Mohanty, Adv.
Mr. Sanjeev Kaushik, Adv.
Ms. Mantika Haryani, Adv.
Mr. Shreyas Awasthi, Adv.
Mr. Himanshu Chakravarty, Adv.
Ms. Ripul Swati Kumari, Adv.
Mr. Bhanu Mishra, Adv.
Mr. Devvrat Singh, Adv.
Ms. Muskan Surana, Adv.

Mr. Avijit Mani Tripathi, Adv.
Mr. T.K. Nayak, Adv.

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

- 1 The subject matter of the petition primarily is in regard to the constitution of the Central Haj Committee under Sections 3 and 4 of the Haj Committee Act 2002 and the State Haj Committees under Sections 17 and 18.
- 2 We have heard Mr Talha Abdul Rahman, counsel appearing on behalf of the petitioner.
- 3 Mr K M Nataraj, Additional Solicitor General states that the Central Haj Committee has been constituted.
- 4 Counsel appearing on behalf of the petitioner states that apart from a few official members, there are vacancies in the Central Haj Committee. The Additional Solicitor General states that this would be looked into and remedial action would be taken expeditiously. The exercise shall be completed within three months.

- 5 As regards the State Haj Committees, the Additional Solicitor General states that according to his instructions, only the State of Odisha has to yet constitute the Committee. This is a matter which can be looked into by the Union Ministry for Minority Affairs. The Ministry for Minority Affairs shall engage with such States as have not constituted the State Haj Committees so that necessary remedial steps are taken expeditiously, preferably within a period of three months.
- 6 The second relief which the petitioner seeks is the cancellation of a lease of land in respect of the Hajj House in Khargar, Navi Mumbai. Such relief cannot be granted in the exercise of the jurisdiction of this Court under Article 32 of the Constitution. The aggrieved individuals would at liberty to pursue their rights and remedies in accordance with law.
- 7 The Petition is accordingly disposed of.
- 8 Pending applications, if any, stand disposed of.

(CHETAN KUMAR)
A.R. -cum-P.S.

(SAROJ KUMARI GAUR)
Assistant Registrar