

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION
TRANSFER PETITION (C)No.2541 of 2023

UNION OF BHARAT

... PETITIONER

Versus

HINDU PERSONAL LAW BOARD & ANR.

... RESPONDENTS

O R D E R

1. The Union of Bharat through its Secretary, Ministry of Law and Justice, seeks transfer of W.P.No.17996 (M/B) of 2021, titled "Hindu Personal Law Board vs. Union of Bharat and another", pending before the High Court of Judicature at Allahabad, Lucknow Bench, Lucknow. The said Writ Petition has been filed by respondent No.1 raising, *inter alia*, the following issues:

(a) Discrimination in Polygamy: Unequal polygamy rules for Hindus and Muslims violate Article 15, based on religion.

(b) Bigamy Law Discrimination: Different bigamy laws for certain religions breach Article 15.

(c) Inconsistent Law: Muslim Personal Law Act provisions conflict with Article 15 and are void under Article 13(1).

2. The transfer of the above-stated Writ Petition is sought on the ground that identical issues are pending consideration before a Constitution Bench of this Court in W.P.No.202 of 2018,

titled "Ashwini Kumar Upadhyay vs. Union of India & Anr."

3. The notice in the petition was issued on 10.10.2023 and as per the Office Report, service is complete but no one has entered appearance on behalf of the respondents so far.

4. It seems that the issues, which have been raised before the High Court, in the above-mentioned Writ Petition, are broadly under consideration before the Constitution Bench in Writ Petition No.202 of 2018.

5. Consequently, we deem it appropriate to transfer the above-stated Writ Petition to this Court and tag the same with Writ Petition No.202 of 2018. Ordered accordingly.

6. The Transfer Petition is allowed in the above terms.

.....J.
(SURYA KANT)

.....J.
(K.V. VISWANATHAN)

NEW DELHI;
MARCH 18, 2024.

ITEM NO.2

COURT NO.4

SECTION XI

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

Transfer Petition(s)(Civil) No(s).2541/2023

UNION OF BHARAT

Petitioner(s)

VERSUS

HINDU PERSONAL LAW BOARD & ANR.

Respondent(s)

(FOR ADMISSION)

Date : 18-03-2024 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SURYA KANT
HON'BLE MR. JUSTICE K.V. VISWANATHAN

For Petitioner(s) Mr. K M Nataraj, A.S.G.
Mr. Kanu Agrawal, Adv.
Mr. B K Satija, Adv.
Mr. Sharath Nambiar, Adv.
Mr. Sabrish Subramayam, Adv.
Mr. Madhav Singhal, Adv.
Mr. Raman Yadav, Adv.
Mr. Arvind Kumar Sharma, AOR

For Respondent(s)

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

The Transfer Petition is allowed in terms of the signed
order.

(SATISH KUMAR YADAV)
DEPUTY REGISTRAR

(PREETHI T.C.)
COURT MASTER (NSH)

(Signed order is placed on the file)