

ITEM NO.9

COURT NO.1

SECTION X

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

WRIT PETITION (CIVIL) Diary No.38216/2022

THE KANGRA DISTRICT BAR ASSOCIATION

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

**(With IA No.7169/2023-STAY APPLICATION and IA No.7168/2023-
CONDONATION OF DELAY IN REFILEING/CURING THE DEFECTS and IA
No.7171/2023-PERMISSION TO FILE LENGTHY LIST OF DATES)**

Date : 25-01-2023 This petition was 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. Raktim Gogoi, Adv.
Mr. Vaibhav Tomar, Adv.
Mr. Kartikeya Singh, Adv.
Mr. Rakesh Kumar Singh, AOR
Mr. S Vinod, Adv.**

For Respondent(s)

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

1 Delay in refiling the Petition is condoned.

- 2 The petitioner has sought to challenge a notification dated 26 September 2022 providing for the establishment of certain additional courts in the State of Himachal Pradesh. When a decision has been taken to set up additional courts to facilitate the convenience of litigants, such a decision cannot be faulted. Moreover, a challenge to the direction for the establishment of the Bench of the High Court cannot be entertained in these proceedings under Article 32 of the Constitution. Therefore, we find no merit in the Petition.
- 3 The petitioner would be at liberty to ventilate its grievances before the High Court on the administrative side. We clarify that we express no opinion on the merits of the grievances. However, we are of the view that a petition under Article 32 would not be maintainable to claim the reliefs which have been sought.
- 4 The Petition is dismissed.
- 5 Pending applications, if any, stand disposed of.

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

(SAROJ KUMARI GAUR)
Assistant Registrar