

ITEM NO.501

COURT NO.5

SECTION XIV

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

Petition for Special Leave to Appeal (C) No.804/2017

(Arising out of impugned final judgment and order dated 23-09-2016 in WPC No. 7663/2016 passed by the High Court of Delhi at New Delhi)

KARMANYA SINGH SAREEN &amp; ANR.

Petitioner(s)

VERSUS

UNION OF INDIA &amp; ORS.

Respondent(s)

[ TO GO BEFORE FIVE HON'BLE JUDGES ][ FOR DIRECTIONS ]

IA No. 6140/2021 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 11372/2021 - CLARIFICATION/DIRECTION)

WITH

W.P.(C) No. 347/2017 (PIL-W)

Date : 29-09-2022 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE K.M. JOSEPH  
HON'BLE MR. JUSTICE AJAY RASTOGI  
HON'BLE MR. JUSTICE ANIRUDDHA BOSE  
HON'BLE MR. JUSTICE HRISHIKESH ROY  
HON'BLE MR. JUSTICE C.T. RAVIKUMAR

For the Parties

Mr. Shyam Divan, Sr.Adv.  
Mr. Prabhas Bajaj, Adv.  
Ms. Surbhi Mehta, Adv.  
Mr. Ashwin Kumar D.S., Adv.  
Mr. Tejveer Bhatia, Adv.  
Mr. Gaurav Sharma, AOR  
Ms. Kritika Bhardwaj, Adv.  
Mr. Dhawal Mohan, Adv.  
Mr. Prateek Bhatia, Adv.  
Mr. Ajay Sabharwal, Adv.  
Mr. Raghav Tiwari, Adv.  
Mr. Gaurav Sharma, AOR

Petitioner-in-person

Mr. Kapil Sibal, Sr.Adv.  
 Mr. Tejas Kana, Adv.  
 Mr. Shashank Mishra, Adv.  
 Ms. Akshi Rastogi, Adv  
 Mr. S. S. Shroff, AOR

Mr. Arvind Datar, Sr.Adv.  
 Ms. Swati Agarwal, Adv.  
 Mr. Thijesh Rajendran, Adv.  
 Mr. Shantanu Mathur, Adv.  
 Mr. P. Kaushik, Adv.  
 Mr. S. S. Shroff, AOR

Mr. Siddharth Luthra, Sr. Adv.  
 Mr. Varun Pathak, Adv.  
 Ms. Mitali Daryani, Adv.  
 Ms. Vibhuti Vasisth, Adv.  
 Mr. S. S. Shroff, AOR

Mr. Mukul Rohatgi, Sr. Adv.  
 Ms. Swati Agarwal, Adv.  
 Mr Thijesh Rajendran, Adv.  
 Mr. Parv Kaushik, Adv.  
 Mr. S. S. Shroff, AOR

Ms. Vrinda Bhandari, Adv.  
 Mr. M S M Vinod, Adv.  
 Mr. T. V. S. Raghavendra Sreyas, AOR  
 Mrs. Gayati Gulati Sreyas, Adv.  
 Mr. Siddharth Vasudev, Adv.  
 Mr. Tanmay Singh, adv.  
 Mr. Krishnesh, Adv.  
 Mr. Abhinav Sekfiri, Adv.

Mr. Gurmeet Singh Makker, AOR

Mr. Varun Thakur, AOR  
 Mr. Varinder Kr.Sharma, Adv

Mr. Sanjay Kapur, AOR  
 Ms. Megha Karnwal, Adv.  
 Mr. Arjun Bhatia, Adv.

Mr. Balaji Srinivasan, AOR

Mr. Arpan Behl, adv.  
 Mr. Sparsh Prasad, Adv.  
 Ms. Ritika Vohra, Adv.  
 Mr. M. P. Devanath, AOR

Mr. Neel Mason, Adv.  
 Mr. Senthil Jagadeesan, AOR  
 Mr. Vihan Dang, Adv.

Ms. Sonakshi Malhan, Adv.

Mr. Kanu Agrawal, Adv.

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

Mr. Tushar Mehta, learned Solicitor General of India would submit that the matters came up suddenly yesterday night. It is pointed out that these are the cases where a Bill was introduced (learned senior counsel appearing for WhatsApp would correct it by pointing out that though tabled and referred to the Committee it was not introduced as such) but for some reasons it was withdrawn.

However, the learned Solicitor General would point out that the Parliament is considering on bringing in a new law which should address the concerns of the parties. It is his definite stand that the policy of the Government of India is that the users of all the intermediaries in India should not suffer discrimination in comparison to the users of these platforms anywhere else in the world.

Mr. Shyam Divan, learned senior counsel appearing for the petitioners would submit that while it may be alright if some time is granted for the Union of India till its decision to introduce a law and make a law, if the matters are being adjourned it should be on understanding that whenever it is to be listed on the next occasion, it will be taken up for final hearing unless it be at the impact of the legislation and covers every issue which fall for our consideration in these cases.

We are inclined to adjourn these matters, taking note of the submission made by the learned Solicitor General of India to the

**17<sup>th</sup> January, 2023.**

**List these cases on the 17<sup>th</sup> January, 2023 for final hearing.**

**By the 15<sup>th</sup> December, 2022 the pleadings in all these cases shall be completed.**

**Mr. Kanu Agrawal, Mr. Shashank Mishra, and Mr. Prabhas Bajaj, learned counsel, will provide a common compilation of documents relied upon by all the parties before the 10<sup>th</sup> January, 2023.**

**(JAGDISH KUMAR)  
COURT MASTER (SH**

**(RAJNI MUKHI)  
COURT MASTER (SH)**

**(RENU KAPOOR)  
ASSISTANT REGISTRAR**