

104+228 CWP-24967-2021, CWP-25988-2021  
CWP-25539-2021, CWP-25037-2021 (O&M)  
CWP-1698-2022 (O&M)  
CWP-584-2022 (O&M)  
CWP-1404-2022 (O&M)  
CM-935-CWP-2022 in/and CWP-26573-2021 (O&M)

**FARIDABAD INDUSTRIES ASSOCIATION  
VS  
STATE OF HARYANA AND ANOTHER**

Present :- Mr. Akshay Bhan, Senior Advocate with  
Mr. Rohit Nagpal, Advocate  
Mr. Hires Choudhary, Advocate  
Ms. Surbhi Sharma, Advocate  
Mr. Ivan Singh Khosa, Advocate  
Mr. Shivam Grover, Advocate  
Mr. Akhilesh Barak, Advocate  
for the petitioner. (CWP-24967-2021).

Mr. Anupam Gupta, Sr. Advocate with  
Mr. Tushar Sharma, Advocate  
Mr. Gautam Pathania, Advocate  
Mr. Sukhpal Singh, Advocate  
Mr. Shekhran Singh Virk, Advocate  
for the petitioner.  
(CWP-26573-2021 & CWP-1698-2022).

Mr. G.S.Bhandal, Advocate  
for the petitioner.  
(CWP-584-2022).

Ms. Reena Choudhary, Advocate for  
Mr. Vishal Sharma, Advocate  
for the petitioner (CWP-25037-2021 & 25539-2021)

Mr. Jagbir Malik, Addl. A.G., Haryana

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**CM-936-CWP-2022 in CWP-24967-2021**

For the reasons recorded, the application is allowed.

Document is taken on record.

**Main cases**

1. At the very outset, the learned Addl. A.G., Haryana seeks time to file reply in the cases in which reply has not been filed.
2. We put it to him that since the legal issue involved is the same it may be considered if the reply filed in three cases can be adopted in the other cases also but he prays that he may be permitted to file reply.

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3. In our opinion, the request is unreasonable considering that even if the replies had to be filed it could have been well filed in the interregnum between the order of the Supreme Court dated 17.02.2022 and today. However, we leave it at that but the request for two weeks' is excessive and therefore, we adjourn the matter to 04.03.2022 with the direction that an advance copy of the written statement/s be served upon the learned counsel for the petitioner/s on or before 01.03.2022.

4. Apart from this, there is one CM-935-CWP-2022 which is an application for impleading the applicant as petitioner No.3. On the asking of Court, Mr. Jagbir Malik, Addl. A.G., Haryana has accepted notice on behalf of the non-applicant-respondents-State of Haryana.

5. We put it to him that this application has only been filed in view of the objection taken by the State that Associations/Corporations can not take the benefit of the fundamental rights under Article 19 of the Constitution of India and therefore whether we should not straightway allow this application but he states that he would like to file reply to this application also.

6. Let reply be filed alongwith the main written statement.

7. We also note with regret that the Union of India has not entered appearance despite being served and despite the fact that no less than the learned Solicitor General of India had personally appeared in this matter as far back as 03.02.2022 and had candidly conceded that these petitions involve substantial questions of law which would have to be gone into by this Court.

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8. In view of the candid concession of the learned Solicitor General of India, we do not deem it appropriate to absolve the Union of India of its responsibility to appear and file reply in this matter. In the circumstances, we direct that a fresh copy of these petitions be handed over to the learned Additional Solicitor General of India so that he can ensure that proper replies are filed on or before 01.03.2022 with advance copies to the learned counsel for the petitioner/s, failing which we direct that the Law Secretary to the Govt. of India should appear in person to explain why the reply has not been filed. We are taking this strict step because their Lordships of the Supreme Court have desired that the case be decided on or before 16.03.2022.

9. We also request the learned counsel to indicate how much time they would take so that the hearing can be scheduled in a manner by which the other work of this Court also does not get paralyzed.

10. A copy of this order be handed over to the learned counsel for the parties under the signatures of the Bench Secretary and be annexed with the copy to be served upon learned Additional Solicitor General of India.

11. A photocopy of this order be placed on the files of connected cases.

**( AJAY TEWARI )  
JUDGE**

**( PANKAJ JAIN )  
JUDGE**

**February 22, 2022**  
*Pooja sharma-I*