

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH MARCH, 2020

PRESENT

HON'BLE MR.JUSTICE ABHAY SHREENIWAS OKA, CHIEF JUSTICE

AND

HON'BLE MRS.JUSTICE B.V.NAGARATHNA

Writ Petition No.6435/2020 [GM-RES]

C/w.

Writ Petition No.6603/2020 [GM-RES]

In Writ Petition No.6435/2020:

Between:

Mohammed Arif Jameel
S/o. Late Abdul Rasheed and another

...Petitioners

And:

Union of India and others

...Respondents

In Writ Petition No.6603/2020:

Between:

Anoop K.T.
S/o.K.T.Purushothaman

...Petitioners

And:

Union of India and others

...Respondents

ORDER

Considering the appeal made by the Hon'ble Prime Minister of India and the Order of the Ministry of Home Affairs of the Central Government dated 24th March 2020, a special sitting of this Court is held at the Chief Justice's home office at 10.00 p.m. We have taken up this Writ Petition in which there are prayers made to issue directions for preventing the spread of Corona Virus epidemic. On the request made by us, the learned Advocate General of the State of Karnataka is also present and he has been heard. The learned Advocate General invited our attention to the guidelines annexed to the order dated 24th March 2020 passed by the Ministry of Home Affairs of the Central Government setting out various measures which will be implemented from midnight. The Chief Secretary of the State Government is also present.

As per the address of the Hon'ble Prime Minister and the order of the Home Ministry dated 24th March 2020, stringent measures will be implemented from midnight

which will make it difficult for citizens to approach Courts of law and take recourse to legal remedies.

Only with the view to ensure that citizens are not deprived of their right to approach the Courts of law, we propose to exercise our jurisdiction under Articles 226 and 227 of the Constitution of India by issuing certain directions. The directions are required to be issued to ensure that litigants should not suffer on account of their inability to approach the Courts of law. We issue the following directions:

(i) All interim orders passed by the Karnataka High Court, all the District Courts, Civil Courts, Family Courts, Labour Courts, Industrial Tribunals and all other Tribunals in the State over which this Court has power of superintendence, which are due to expire within a period of one month from today, will continue to operate for a period of one month from today. We, however, make it clear that those interim orders which are not of a limited duration and are to operate till further orders will remain unaffected;

(ii) If the Criminal Courts in the State have granted bail orders or anticipatory bail for a limited period which are likely to expire in one month from today, the said orders will stand extended for a period of one month from today;

(iii) If any orders of eviction, dispossession or demolition are already passed by the High Court, District or Civil Courts, the same shall remain in abeyance for a period of one month from today;

(iv) Considering the fact that it will be practically impossible for the citizens to approach the Courts for redressal of their grievances for a period of twenty-one days specified in the order of the Ministry of Home Affairs dated 24th March 2020, we sincerely hope that the State Government, Municipal Authorities and the agencies and instrumentalities of the State Government will be slow in taking action of demolition and eviction of persons.

This order be published in the official website of this Court. A soft-copy of this order shall be sent to all concerned Courts and Tribunals; the learned Advocate General; the learned Additional Solicitor General of India;

the learned Assistant Solicitor General of India; State Public Prosecutor and the Chairman of Karnataka State Bar Council. We request the Chairman of the Bar Council to circulate this order to all the Bar Associations in the State.

**Sd/-
(ABHAY SHREENIWAS OKA)
CHIEF JUSTICE**

**Sd/-
(B.V.NAGARATHNA)
JUDGE**