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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 4379/2020 and CM APPL. 15762/2020

PEOPLE FOR THE ETHICAL TREATMENT OF
ANIMALS, (PETA) INDIA, REPRESENTED BY ITS
AUTHORISED REPRESENTATIVE, DR. MANILAL
VALLIYATE CHIEF EXECUTIVE OFFICER Petitioner

Through: Dr. Aman Hingorani & Mr.Himanshu
Yadav, Advocates.

versus

UNION OF INDIA, THROUGH ITS SECRETARY,
MINISTRY OF ENVIRONMENT, FORESTS AND CLIMATE
CHANGE, GOVERNMENT OF INDIA & ORS. Respondents

Through: Mr. Chetan Sharma, ASG and
Mr.Anurag Ahluwalia, CGSC, with
Mr. Hussain Taqvi, Mr. Abhigyan
Siddhant, Mr. Amit Gupta, Mr. Anish
Roy & Mr. Sahej Garg, Advocates,
for UOI.

Mr. Karam Pratap Singh, Law Officer
and Mr. Vikram Chandravanshi,
Legal Consultant, for respondent
no.4/ CZA.

Mr. P.B. Suresh and Mr. Karthhik
Jayashankar, Advocates for
respondent Nos. 9 and 15.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

HON'BLE MR. JUSTICE RAJNISH BHATNAGAR

ORDER

17.11.2020

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1. Respondent No.3 Board had earlier filed an affidavit which – we had observed, was not in accordance with our order. No further detailed counter-affidavit has been filed by respondent No.3 in this matter pursuant to the inspection directed to be carried out.
2. Respondent no.4/ Central Zoo Authority (CZA) has, however, filed its counter-affidavit. Our attention has been drawn to it, as per which the Great Golden Circus had been issued a show-cause notice for transferring two female elephants to a religious trust for religious ceremonies without the permission of respondent No.4/CZA.
3. We direct learned counsel for the respondent No.3/Animal Welfare Board of India to ensure that the counter-affidavit in pursuance of the inspection carried out is filed on record within one week with advance copy to learned counsel for the petitioner, who may file rejoinder thereto before the next date. The Board shall share its response with the private respondents as well, who may respond to the said report before the next date with advance copies to all counsels, including learned counsel for the petitioner. While filing its reply, the respondent No.3 Board should specifically state as to which of the respondent circuses have closed down and which are functioning. It should also disclose the status with regard to the animals that all the circuses had as per its records, particularly in respect of the circuses which are closed down. It should be indicated as to what is the fate of the animals in those circuses. Copies of the rejoinder to be filed shall be served on all counsels for the parties appearing in this matter as well

as in the connected matter W.P.(C.) No. 4391/2020.

4. Let respondent No.4 CZA file further affidavit stating as to what is the status of the show-cause notice issued to the Great Golden Circus. We are informed that the CZA had filed an additional affidavit. The same be brought on record and be served on all counsels, including learned counsel for the petitioner.
5. List before the Joint Registrar (Judicial) for completion of pleadings on 08.12.2020.
6. List before the Court on 28.01.2021.

VIPIN SANGHI, J

RAJNISH BHATNAGAR, J

NOVEMBER 17, 2020

B.S. Rohella