

ITEM NO.15

COURT NO.5

SECTION PIL

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

IA No. 7 in Writ Petition(s) (Civil) No(s). 743/2014

WILDLIFE RESCUE

AND REHABILITATION CENTRE AND OTHERS

Petitioner(s)

VERSUS

UNION OF INDIA AND OTHERS

Respondent(s)

(for directions and office report)

Date : 13/05/2015 This application was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE DIPAK MISRA
HON'BLE MR. JUSTICE PRAFULLA C. PANT

For Petitioner(s) Mr. Shyam Divan, Sr. Adv.
Ms. Aparna Bhat, AOR
Ms. Shibani Ghosh, Adv.
Ms. Tanima Kishore, Adv.

For Respondent(s) Mr. Ranjit Kumar, SG
Mr. Rana Mukherjee, Sr. Adv.
Ms. Movita, Adv.
Mr. Shreekant N. Terdal, AOR

Intervenor Mr. V. Giri, Sr. Adv.
(IA 4) K. Parameshwar, AOR

Intervenor Mr. C.S. Vaidyanathan, Sr. Adv.
(IA 5) Mr. K. Parameshwar, Adv.

Applicant Mr. Siddharth Ludhra, Sr. Adv.
Mr. Aditya, S., Adv.
Supriya Juneja, AOR
Mr. Viraj Gandhi, Adv.
Ms. Ambika, Adv.

Mr. Ajit Sharma, AOR

Applicants Mr. L.N. Rao, Sr. Adv.
Mr. K. Rajeev, AOR
Mr. Sinoj K. Narayanan, Adv.

Mr. Sanjay Hegde, Sr. Adv.
Mr. Vishnu Shankar Jain, Adv.

Mr. Mukti Choudhary, AOR

Kerala

Mr. R. Basant, Sr. Adv.

Mr. Jogy Scaria, AOR

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

Heard Mr. Siddharth Luthra, learned senior counsel for the applicant, Mr. Ranjit Kumar, learned Solicitor General, Mr. Nageshwar Rao, learned senior counsel, Mr. V. Giri, learned senior counsel, Mr. R. Basant, learned senior counsel, Mr. Vaidyanathan, learned senior counsel, Mr. R. Basant, learned senior counsel for the respondents and Mr. Ajit Sharma, learned counsel for the Animal Welfare Board of India, respondent no.2 herein.

Mr. Ranjit Kumar, learned Solicitor General and other counsel appearing for various parties pray for four weeks time to file their response to the I.A.

At this juncture, Mr. Siddharth Luthra, learned senior counsel for the applicant, submitted that there is a statutory prohibition for engaging elephants for performance in any festival or any activity relating to any festivity. In fact, this fact has been taken note of vide order dated 05.05.2015.

As the learned counsel appearing for the respondents pray for some time to file the response, we are not in a position to pass the interim orders, the manner in which it is prayed for by Mr. Luthra. Be it noted, the Animal Welfare Board is supporting the stand of the applicant. Mr. Vaidyanathan, learned senior counsel appearing for the Festival Coordination Committee, submitted that there is no legal prohibition. We will be addressing the said facet after the replies/responses are filed. By 20.06.2015, pleadings as regards the writ petition shall be complete.

Let the matter be listed on 14.07.2015.

As an ad interim measure, all the organizers, owners of the elephants and the festival coordination committee are directed to see that any elephant that is engaged in the performance of any festival activities or any activity relating to any festivity is not treated or meted with cruelty. If it is established before this Court that an elephant has been meted with cruelty, the organizers, the Committee members and anyone involved with it shall be impleaded in this case and be proceeded for contempt.

(Gulshan Kumar Arora)
Court Master

(H.S. Parasher)
Court Master