

ITEM NO.19

COURT NO.1

SECTION PIL-W

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

Writ Petition(Civil) No.1103/2019

ANUN DHAWAN &amp; ORS.

Petitioner(s)

VERSUS

UNION OF INDIA &amp; ORS.

Respondent(s)

(IA No. 130084/2019 - PERMISSION TO FILE LENGTHY LIST OF DATES)

Date : 27-10-2021 This matter was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE SURYA KANT  
HON'BLE MS. JUSTICE HIMA KOHLI

For Petitioner(s)

Ms. Ashima Mandla, Adv.  
Ms. Mandakini Singh, Adv.  
Mr. Fuzail Ahmad Ayyubi, AOR  
Mr. Ibad Mushtaq, Adv.  
Mr. Syed Mohd. Ahmad, Adv.

For Respondent(s)

Mr. Raj Bahadur Yadav, AOR

Ms. Madhvi Divan, ASG  
Mr. Gurmeet Singh Makker, AOR  
Mr. R. Bala, Sr. Adv.  
Mr. Chinmayee Chandra, Adv.

Mr. Gaurav Agrawal, AOR

Mr. Tapesk Kumar Singh, AOR  
Mr. Aditya Pratap Singh, Adv.  
Mrs. L. Bhaswati Singh, Adv.  
Mr. Aditya Narayan Das, Adv.

Mr. Arun R. Pednekar, Adv.  
Ms. Mukti Chowdhary, AOR

Mr. Debojit Borkakati, AOR  
Mr. Vivek Sonker, Adv.

Mr. Ranjan Mukherjee, AOR

Mr. Pukhrambam Ramesh Kumar, AOR  
Ms. Anupama Ngangom, Adv.  
Mr. Karun Sharma, Adv.

Mr. Sumeer Sodhi, AOR  
Mr. Dhruv Wadhwa, Adv.

Mr. Abhimanyu Tewari, AOR  
Ms. Eliza Bar, Adv.

Mr. Shibashish Misra, AOR

Mr. Ashish Kumar, AAG  
Mr. Sandeep Kumar Jha, AOR

Mr. Pranav Sachdeva, AOR

Mr. S. Udaya Kumar Sagar, AOR  
Mr. Sweena Nair, Adv.  
Mr. P. Mohith Rao, Adv.

Mr. V. N. Raghupathy, AOR

Mr. M. Shoeb Alam, AOR

Mr. Avijit Mani Tripathi, AOR  
Mr. T.K. Nayar, Adv.  
Mr. Shaurya Sahay, Adv.

Mr. Santosh Kumar - I, AOR

Mr. Raghvendra Kumar, Adv.  
Mr. Anand Dubey, Adv.  
Mr. Narendra Kumar, AOR  
Mr. Rajiv Kumar Sinha, Adv.  
Mr. Manish Kumar, AOR  
Mr. Abhinav Singh, Adv.

Mr. Anil Grover, Sr. AAG  
Ms. Noopur Singhal, Adv.  
Mr. Rahul Khurana, Adv.  
Mr. Satish Kumar, Adv.  
Mr. Sanjay Kumar Visen, AOR  
Mr. Bhanwar Jadon, Adv.  
Ms. Babita Mishra, Adv.

Ms. Uttara Babbar, AOR

Ms. Astha Sharma, AOR

Ms. Garima Prashad, AAG, UP  
Mr. Tanmaya Agarwal, AOR  
Mr. Wrick Chatterjee, Adv.  
Mr. Parth Yadav, Adv.  
Mr. Akshay Chowdhary, Adv.

Mr. Rahul Chitnis, Adv.  
Mr. Sachin Patil, AOR  
Mr. Aaditya A. Pande, Adv.  
Mr. Geo Joseph, Adv.

Mr. G. Prakash, AOR  
Ms. Priyanka Prakash, Adv.  
Ms. Beena Prakash, Adv.

Mr. Suhaan Mukerji, Adv.  
Mr. Vishal Prasad, Adv.  
Mr. Nikhil Parikshith, Adv.  
Mr. Abhishek Manchanda, Adv.  
For M/s.PLR Chambers And Co., AOR

Mr. Mukul Singh, Dy.AG  
Mr. Sandeep Sharma, Adv.  
Mr. Sunny Choudhary, AOR

Mr. Abhinav Mukerji, AOR  
Ms. Pratishtha Vij, Adv.  
Mrs. Bihu Sharma, Adv.  
Mr. Akshay C. Shrivastava, Adv.

Mr. K.V. Jagdishvaran, Adv.  
Ms. G. Indira, AOR  
Ms. N.P. Haibila, Adv.

Mr. G. N. Reddy, AOR

Mr. Aravindh S., AOR

Ms. C. Rubavathi, Adv.

Mr. Chandra Prakash, AOR  
Mr. Vivek Singh, Adv.  
Mr. C.P. Rajwar, Adv.

Ms. K. Enatoli Sema, AOR  
Mr. Amit Kumar Singh, Adv.  
Ms. Chubalemla Chang, Adv.

Mr. M. Yogesh Kanna, AOR

Mr. B. V. Balaram Das, AOR

Mr. Shuvodeep Roy, AOR

Mr. Kabir Shankar Bose, Adv.

Mr. Ishaan Borthakur, Adv.

Dr. Rajiv Nanda, AOR

Mr. Satish Pandey, AOR

Ms. Deepanwita Priyanka, AOR

Ms. Ranjeeta Rohatgi, Adv.

Mr. Siddhesh Kotwal, Adv.

Ms. Pragya, Adv.

Dr. Joseph Aristotle S., Adv.

Ms. Preeti Singh, Adv.

Ms. Ripul Swati Kumari, Adv.

Mr. Mahfooz A. Nazki, AOR

Mr. Polanki Gowtham, Adv.

Mr. Shaik Mohamad Haneef, Adv.

Mr. T. Vijaya Bhaskar Reddy, Adv.

Mr. Amitabh Sinha, Adv.

Mr. K.V. Girish Chowdary, Adv.

UPON hearing the counsel the Court made the following

O R D E R

Heard Ms. Ashima Mandla, learned counsel appearing for the petitioners, Ms. Madhvi Divan, learned Additional Solicitor General appearing for the Union of India and other learned counsel(s) appearing for the States and Union Territories at a considerable length.

Learned counsel appearing for the Government of National Capital Territory of Delhi and Union Territory of Ladakh are directed to file their respective counter affidavits within a period of two weeks from today, without fail.

It is submitted by learned Additional Solicitor General that the issues which are raised in this Writ Petition with regard to creating community kitchens to take care of hunger deaths or

malnutrition of children are under active consideration of the Union of India and they are awaiting expert reports on the subject.

We are of the considered view that until and unless the State Governments are involved with regard to implementation of the Scheme, it would be difficult to implement the same.

Under the circumstances, it would be appropriate that the Union of India should come out with some policy decision with regard to implementation of the Community Kitchen Scheme by taking into consideration the other similar Schemes relating to the community kitchen which are already in operation in different States.

We feel that there is a need to coordinate with the State Governments/Union Territories and their opinion should also be taken into consideration by the Union of India before finalization of the Community Kitchen Scheme.

In view of the above, we direct the Union of India to interact with the concerned stakeholders as well as for finalization of probable date of holding meeting(s) with the State Governments/Union Territories on the subject.

During the course of hearing, we are informed that in five States viz. States of U.P., M.P., Maharashtra, Odisha and Bihar, the incidents of hunger deaths and malnutrition of children are reported.

In view of the above, learned counsel appearing for the States of U.P., M.P., Maharashtra, Odisha and Bihar are directed to file their respective short replies about the aforesaid issues and identify the Districts/Talukas/Villages where these deaths/malnutrition have/are taking place, on the next date of hearing without fail.

Learned counsel appearing for the State of Manipur prays for and is granted two weeks' time to deposit the costs.

It is made clear that no further extension of time would be granted for the said purpose.

Learned counsel appearing for all those States which have not so far filed costs pursuant to Order of this Court are granted four weeks' time from today for the said purpose.

The Registry is directed to invest the costs deposited by the States in an interest-earning Fixed Deposit Receipts on short-term basis in any Nationalized Bank with auto-renewal facility which gives more interest.

Learned counsel appearing for the State of Sikkim seeks exemption from paying remaining costs, which is rejected.

List the matter on 16-11-2021.

(VISHAL ANAND)  
ASTT. REGISTRAR-cum-PS

(R.S. NARAYANAN)  
COURT MASTER (NSH)