

ITEM NO.21

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.1086/2022

ANOOB BARANWAL & ORS.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(With IA No.188111/2022-EXEMPTION FROM FILING O.T. and IA No.188113/2022-PERMISSION TO APPEAR AND ARGUE IN PERSON and IA No.188110/2022-APPROPRIATE ORDERS/DIRECTIONS)

Date : 09-01-2023 This petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE PAMIDIGHANTAM SRI NARASIMHA

For Petitioner(s)

Petitioner-in-person

For Respondent(s)

UPON hearing the petitioners in-person the Court made the following
O R D E R

- 1 The petitioners, who appear in-person, seek to challenge the constitution of the Committee on the Uniform Civil Code set up by the State of Uttarakhand. According to the petitioners, in view of the Directive Principles of State Policy (Article 44 of the Constitution) such a Committee can only be set up by the Union Government.

- 2 Article 162 of the Constitution indicates that the executive power of a State extends to matters with respect to which the Legislature of the State has power to make laws.
- 3 In view of the provisions of Entry 5 of the Concurrent List of the Seventh Schedule, the constitution of a Committee *per se* cannot be challenged as *ultra vires*.
- 4 There is no merit in the Petition, which is accordingly dismissed.
- 5 Pending applications, if any, stand disposed of.

(CHETAN KUMAR)
A.R. -cum-P.S.

(SAROJ KUMARI GAUR)
Assistant Registrar