

(2013) 09 SC CK 0012

In the Supreme Court Of India

Case No : Writ Petition (Criminal) No's. 155 and 158 of 2013

Mohd. Haroon and Others

APPELLANT

Vs

Union of India (UOI) and Another

RESPONDENT

Date of Decision : 19-09-2013

Acts Referred:

Citation : (2013) 11 SCALE 676 : (2013) 9 SCC 328

Hon'ble Judges : P. Sathasivam, C.J.;Ranjana Prakash Desai, J;Ranjan Gogoi, J

Bench : Full Bench

Final Decision : Dismissed

Judgement

1. Taking note of the fact that this Court has entertained Writ Petition (Crl.) No. 155 of 2013, filed by Mohd. Haroon and Ors. as well as Writ Petition (Crl.) No. 158 of 2013, filed by the Supreme Court Bar Association and pursuant to the direction of this Court dated 12.09.2013, Union of India., as well as the State of U.P. Respondent Nos. 1 and 2 respectively, have filed their response with regard to various steps including the relief to the stranded persons and of the fact that this Court is monitoring the entire incident, we feel that in the interest of all concerned, the matter pending before the Allahabad High Court, namely, W.P. (PIL) No. 49526 of 2013 - is to be heard along with above matters. Accordingly, we direct Writ Petition (PIL) No. 49526 of 2013 pending on the file of High Court at Allahabad be transferred to this Court. All the counsel are agreeable for this transfer. Registrar, High Court, is directed to transmit all the papers pertaining to the said writ petition to this Court forthwith. It is made clear that any grievance pertaining to the incident that took place on 27th August, 2013 at Muzaffarnagar and nearby places aggrieved persons are to approach only to this Court for necessary relief/directions.

2. Pursuant to the direction of this Court dated 12th September, 2013, Respondent No. 1 - Union of India as well as Respondent No. 2 -State of U.P. have filed affidavits along with annexures highlighting the steps taken by them.

3. Though, Mr. Gopal Subramaniam, learned senior counsel appearing on behalf of the Petitioners in W.P.(Crl.) No. 155 of 2013 after taking us through the compliance report/affidavits filed by Respondent Nos. 1 and 2 submitted that the steps taken by the said Respondents are inadequate, however, it cannot be claimed that they have not taken effective steps. However, on going through the details mentioned in the respective affidavits as well the reply filed by the Petitioners, we direct both the Respondents viz. Union of India and State of U.P. to provide the required assistance/facilities as directed in our order dated 12.09.2013.

4. During the course of hearing, learned Attorney General apart from reiterating the stand taken in their affidavit assured this Court that the Government of India is fully committed to provide all required financial assistance as well as security measures for the immediate and permanent relief to the stranded and affected persons.

5. Dr. Rajeev Dhawan, learned senior counsel appearing for the State of U.P. after taking us through the various steps taken by them also assured this Court that apart from the steps taken by the State, they are taking further steps for providing food, water, shelter and medicines to all those affected persons. He also assured us that the State Government is taking effective steps for peaceful resettlement of those stranded persons. The above statement of both the Respondents are hereby recorded.

6. In order to ascertain the further development and the steps taken by both the Respondents, we adjourn the matter till next Thursday i.e. 26th September, 2013. Respondent Nos. 1 & 2 are directed to file further Report on that day.

7. The Petitioners as well as others who are aware of more details about the sufferings of the people concerned are permitted to hand over all the details to the standing counsel for the State of U.P.

8. Issue notice on Crl. M.P. No. 19971 of 2013 in W.P.(Crl.) No. 158 of 2013.

W.P.(Crl.) No. 165 of 2013

9. Taken on Board.

10. Petitioner is permitted to serve copy of the petition to Union of India as well as State of U.P.

11. Tag with W.P.(Crl.) No. 155 of 2013 etc. List all the matters including the transferred matter at 3.00 P.M. on 26th September, 2013.