

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (CIVIL) NO(s).1095-1098 OF 2016

THE ANIMAL WELFARE BOARD OF INDIA

Petitioner(s)

VERSUS

UNION OF INDIA & ORS. ETC.

Respondent(s)

O R D E R

In these transfer petitions, the petitioner-Animal Welfare Board has prayed for transfer of four different writ petitions filed and pending before the different High Courts in the country to this Court for hearing and disposal. These petitions are - (1) PIL Petition No.67 of 2014 titled "The Federation of Indian Animal Protection Organisations (FIAPO) vs. The Union of India and Ors." pending before the High Court of Judicature at Bombay; (2) Civil Misc. Public Interest Litigation Petition No.5896 of 2015 titled "The Federation of Indian Animal Protection Organisation (FIAPO) vs. State of Uttar Pradesh and Ors." pending before the High Court of Judicature at Allahabad; (3) Civil Writ Petition No.4321 of 2014 titled "The Federation of Indian Animal Protection Organisations (FIAPO) and Anr. vs. The Union of India and Ors." pending before the High Court of Punjab and Haryana at Chandigarh; and (4) Public Interest Litigation No.109 of 2015 titled "People for Animals Hyderabad and Secunderabad vs. Union

of India and Ors." pending before the High Court of Judicature at Hyderabad for the States of Telangana and Andhra Pradesh.

The petitioner-Board argues that the issues that fall for determination in these petitions are common and need to be consolidated and heard by this Court for an authoritative pronouncement on the subject to avoid multiplicity of the proceedings and conflict in judgments.

Mr. Maninder Singh, learned Additional Solicitor General, who appears for Union of India, submits that instead of transferring the petitions to this Court, it would be more appropriate, convenient and in the interest of speedy disposal of the matter, if the petitions pending before different High Courts are transferred for hearing and disposal to the High Court of Delhi. That appears to us also to be the right course of action.

In the circumstances, we direct transfer of (1) PIL Petition No.67 of 2014; (2) Civil Misc. Public Interest Litigation Petition No.5896 of 2015; (3) Civil Writ Petition No.4321 of 2014; and (4) Public Interest Litigation No.109 of 2015, mentioned above, from the High Courts where the same are pending to the High Court of Delhi. The records of the cases shall be despatched to the transferee court expeditiously.

We had by our Order dated 29th July, 2016 while issuing notice asked Mr. Maninder Singh to take instructions as to the reasons for the delay in finalising the rules which the petitioner-Animal Welfare Board has recommended to the Central

Government. Mr. Maninder Singh, today submits that draft rules recommended by the petitioner-Animal Welfare Board have been received by the Government of India and are being being examined by Animal Welfare Division of Ministry of Environment, Forest and Climate Change, Government of India. He submits that in order to facilitate finalisation of the rules, Government is willing to convene a meeting of all stakeholders including the petitioner-Animal Welfare Board, the public activists and the poultry Federations/committees at a convenient date in the month of September 2016 so that the viewpoint of all concerned are also taken consideration by the Government of India, while examining the proposed rules.

In the circumstances, therefore we expect the Government of India to convene the proposed meeting and expedite the process of framing of the rules and report further developments on the subject to the High Court of Delhi upon transfer of the cases to it.

With the above observations, these transfer petitions are allowed and disposed of. No costs.

.....CJI.
(T.S. THAKUR)

.....J.
(A.M. KHANWILKAR)

.....J.
(DR. D.Y. CHANDRACHUD)

NEW DELHI
DATED 5th AUGUST, 2016.

ITEM NO.34

COURT NO.1

SECTION XVIA

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

Transfer Petition(s) (Civil) No(s). 1095-1098/2016

THE ANIMAL WELFARE BOARD OF INDIA

Petitioner(s)

VERSUS

UNION OF INDIA & ORS. ETC.

Respondent(s)

(With appln. (s) for ex-parte stay)

Date : 05/08/2016 These petitions were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE A.M. KHANWILKAR
HON'BLE DR. JUSTICE D.Y. CHANDRACHUD

For Petitioner(s) Mr. C.A. Sundaram, Sr. Adv.
Mr. Sidharth Luthra, Sr. Adv.
Ms. Supriya Juneja, Adv.
Mr. Aditya Singla, Adv.
Mr. Jayasimha, Adv.
Ms. Ambika Nijjar, Adv.
Ms. Mehaak Jaggi, Adv.
Ms. Poornima Raj, Adv.
Ms. Gargi Khanna, Adv.

For Respondent(s) Mr. Maninder Singh, ASG
Ms. Pinky Anand, ASG
Mr. R. Balasubramanian, Adv.
Mr. Rajiv Nanda, Adv.
Mr. Ajay Sharma, Adv.
Ms. Somya Rathore, Adv.
Mr. Rishabh Jain, Adv.
Mr. Ansh Luthra, Adv.
Mr. Nalin Kohli, Adv.
Mr. Ananya Mishra, Adv.
Mr. Santosh Kumar, Adv.
Mr. G.S. Makkar, Adv.
Mr. Ankit Roy, Adv.
Mr. Prabhas Bajaj, Adv.

Mr. Amit Sibal, Sr. Adv.
Mr. Ajit Sharma, Adv.

Dr. Abhishek Manu Singhvi, Sr. Adv.
Mr. A. Venayagam Balan, Adv.
Mr. V.S. Lakshmi, Adv.

Mr. Devinder Pratap Singh, Adv.
Mr. Sanjay Rathi, Adv.
Mr. Surender Hooda, Adv.

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

In terms of the signed order, these transfer petitions are
disposed of:

"In the circumstances, we direct transfer of (1) PIL
Petition No.67 of 2014; (2) Civil Misc. Public Interest
Litigation Petition No.5896 of 2015; (3) Civil Writ
Petition No.4321 of 2014; and (4) Public Interest
Litigation No.109 of 2015, mentioned above, from the
High Courts where the same are pending to the High Court
of Delhi. The records of the cases shall be despatched
to the transferee court expeditiously.

xxx

xxx

xxx

In the circumstances, therefore we expect the
Government of India to convene the proposed meeting and
expedite the process of framing of the rules and report
further developments on the subject to the High Court of
Delhi upon transfer of the cases to it.

With the above observations, these transfer
petitions are allowed and disposed of. No costs."

(MAHABIR SINGH)
COURT MASTER

(VEENA KHERA)
COURT MASTER

(Signed order is placed on the file)