

IN THE SUPREME COURT OF INDIA  
CIVIL ORIGINAL JURISDICTION

INTERLOCUTORY APPLICATION NOS. 19 & 21

(Application for Directions)

IN

WRIT PETITION (CIVIL) NO. 743 OF 2014

(Under Article 32 of the Constitution of India)

Wildlife Rescue and Rehabilitation Centre & Ors. .... Petitioners

Versus

Union of India & Ors. ... Respondents

**OFFICE REPORT**

It is submitted that Interlocutory Application No. 19 in Writ Petition above-mentioned alongwith other applications was listed before the Hon'ble Court on 02.02.2016, when the Court was pleased to inter-alia pass the following Order:-

“I.A. No. 19 of 2015

Mr. Arjun Vinod Bobde, learned counsel, submits that he has instructions to appear for the State of Goa. Let him file Vakalatnama within a week and the response to the application within three weeks hence.

It is submitted by Ms. Aparna Bhat, learned counsel appearing for the petitioner that there are two resorts in the State of Goa, namely, Jungle Book and Tropical Spice Plantation, which provide for recreation for the tourists by engaging elephants, who are meted with cruelty. She has brought to our notice the photographs that have been annexed to the application. The prayer in the interlocutory application is to direct the Chief Wild Life Warden, Government of Goa, to see that the elephants are not treated with cruelty, apart from other prayers. Learned counsel would urge that a report should be called from the Animal Welfare Board of India in this regard.

Let the two resorts be impleaded as the respondents in this application. Learned counsel for the applicant shall file the amended Cause Title within two days hence. The Registry shall issue notice to the said newly added respondents immediately, fixing a returnable date within four weeks.

Mr. Ajit Sharma, learned counsel appearing for the Animal Welfare Board of India, undertakes to file the report within three weeks.

Having heard learned counsel for the parties, we are, as advised at present, only inclined to direct that the Chief Wild Life Warden, Goa, shall ensure that the elephants who are engaged in these two resorts are not treated with any kind of cruelty in any manner. Be it clarified, whether such resorts can keep the animals or not, shall be dealt with at a later stage.

Let the matter be listed on 29th March, 2016.

XXXX XXXX XXXX XXXX XXXX XXXX XXXX

I.A. No. .... of 2016 in W.P. (C) No. 743/2014

On mentioning, the interlocutory application is taken on Board.

It is submitted by Mr. Sidharth Luthra, learned senior counsel appearing on behalf of the applicant that the said application is for directions and not for intervention. Regard being had to the same, Registry is directed to register the said application and issue notice, as directed on the earlier occasion.”

### **Interlocutory Application No. 19**

Pursuant to above order, it is submitted that certified copy of Order dated 02.02.2016 was sent to Chief Wildlife Warden, State of Goa through Speed Post on 05.02.2016.

It is next submitted that Ms. Pragya Baghel, Advocate has on 10.02.2016 filed Vakalatnama/Appearance and also on 15.03.2016 filed reply on behalf of Respondent No. 21 (State of Goa) in Interlocutory Application No. 19. The document stands included in the paper books.

It is further submitted that Amended Cause Title stands included in the paper books.

It is next submitted that Show Cause Notice returnable for 29.03.2016 was issued to Tropical Spice Plantation & Jungle Book Goa in I.A. No. 19 through Speed Post on 15.02.2016. However, neither Vakalatnama/Appearance nor reply has been filed on behalf of the Respondent No. 1, so far.

It is further submitted that Mr. Shivraj Gaonkar, Advocate has on 28.03.2016 filed Vakalatnama/Appearance and reply on behalf of Impleaded Respondent No. 2, i.e. Jungle Book Goa in I.A. No. 19 with the permission of the Hon'ble Court. But the same is defective as (i) the stamp of the resort is not affixed on the Vakalatnama/Appearance and (ii) some pages of the reply affidavit are in dim impression and small font. However, the document is being circulated before the Hon'ble Court.

Service of Show Cause Notice is incomplete in respect of Impleaded Respondent No. 1 , so far.

It is lastly submitted that no document has been filed on behalf of Animal Welfare Board of India.

**Interlocutory Application No. 21**

Pursuant to above order, it is submitted that Application for directions filed on 07.12.2015 by Ms. Supriya Juneja, Advocate on behalf of Ms. Gauri Maulekhi which has been registered as I.A. No. 21.

It is next submitted that Show Cause Notice returnable for 29.03.2016 was issued to State of Kerala & Chief Wildlife Warden, State of Kerala in I.A. No. 21 through Registered A.D. on 22.02.2016.

It is next submitted that neither A.D. Cards nor unserved cover containing show cause notice has been received back, so far.

Hence, Service of Show Cause Notice is incomplete.

The Writ Petition alongwith applications above-mentioned is listed before the Hon'ble Court with this Office Report for orders.

Dated this the 28<sup>th</sup> day of March, 2016.

Sd/-  
Assistant Registrar