

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

WRIT PETITION (CIVIL) NO. 805 OF 2015

(Under Article 32 of the Constitution of India)

WITH

INTERLOCUTORY APPLICATION NO. 1

(Application for permission to appear and argue in person)

AND

INTERLOCUTORY APPLICATION NO. 2

(Application for directions)

AND

INTERLOCUTORY APPLICATION NO. 3 & 4

(Application for directions)

AND

INTERLOCUTORY APPLICATION NO. 5

(Application for directions to refer the cases to Constitution Bench)

AND

INTERLOCUTORY APPLICATION NO. 6

(Application for directions seeking permission to submitting proposal for
stray dog pounds in Kerala, in order to curb stray dog menace)

AND

INTERLOCUTORY APPLICATION NO. 7

(Application for amendment of the Writ Petition)

AND

WRIT PETITION (C) NO. 808 OF 2015

(Under Article 32 of the Constitution of India)

WITH

INTERLOCUTORY APPLICATION NOS. 2 OF 2015

(Application for interim direction)

AND

INTERLOCUTORY APPLICATION NO. 3 OF 2016

(Application for impleadment as party respondent)

AND

WRIT PETITION (C) NO. 599 OF 2015

(Under Article 32 of the Constitution of India)

WITH

INTERLOCUTORY APPLICATION NO. 4

(Application for directions)

AND

INTERLOCUTORY APPLICATION NOS. 9 & 10 in I.A. NO. 4

(Application for permission to file additional documents & exemption from
filing Official Translation filed by Mr. V. K. Biju, Advocate)

AND

INTERLOCUTORY APPLICATION NO. 11

(Application for permission to file additional document)

AND

INTERLOCUTORY APPLICATION NO. 12 & 13

(Applications for impleadment and directions on behalf
of Ms. Fizzah Shah)

AND
INTERLOCATORY APPLICATION NO. 14
(Application for Directions)

Sabu Steephen, etc.

... Petitioner

Versus

Union of India & Ors., etc.

... Respondents

OFFICE REPORT

The Writ Petition (C) Nos. 805 and 808 of 2015 alongwith applications above mentioned were listed before Hon'ble Court on 17.01.2017 with office report dated 16.01.2017, when the Court was pleased to inter-alia pass the following order:-

“xx xx xx xx xx xx
xx xx xx xx xx xx

The petitioner-in-person has filed certain interlocutory applications and he wants to modify the same. He is permitted to file fresh interlocutory applications taking additional grounds challenging the manner in which the Gazette Notification is issued. He may do so within two weeks hence. Counter affidavit in this regard, if not filed, be filed within four weeks hence.

It is submitted by Mr. Gaurav Agarwal, learned counsel appearing for Justice Sri Jagan Committee that about 400 applications were received by the Committee, out of which twenty-four have already been dealt with.

At this juncture, Mr. V. K. Biju, learned counsel appearing for one of the affected parties, that is, Jose Sebastian, has submitted that his matter is pending before the Committee. We request the Committee to deal with the grievance of Jose Sebastian within three weeks from today.

List the matter on 1st March, 2017.”

W.P. (C) 805 of 2015

It is submitted that Certified Copy of the Order dated 17.01.2017 was issued to Hon'ble Mr. Justice S. Sri Jagan (Retd.) committee through Registered A.D. on 23.01.2017.

It is next submitted that Mr. Sabu Steephen, Petitioner-in-person has on 22.02.2017 filed three applications (i) Application for directions to refer the cases to Constitution Bench (ii) Application for directions seeking permission to submitting proposal for stray dog pounds in Kerala, in order to curb stary dog menace (iii) Application for amendment of the

Writ Petition. The said applications have been registered as I. A. Nos. 5, 6 & 7 respectively and Paper Books of the said applications are being circulated for the kind perusal of the Hon'ble Court.

It is further submitted that Mr. Samir Ali Khan, Advocate has on 27.02.2017 filed Counter Affidavit on behalf of State of Bihar (Respondent No. 5). The said affidavit is being circulated for the kind perusal of the Hon'ble Court.

W.P. (C) 808 of 2015

It is submitted that Mr. Kamalendra Mishra, Advocate has on 27.02.2017 filed Vakalatnama/Appearance on behalf of the petitioner after taking 'No objection' from Mr. V. K. Biju, erstwhile Advocate.

W.P. (C) 599 of 2015

The instant Writ Petition alongwith other connected matters was listed before the Hon'ble Court on 17.11.2016 with office Report dated 16.11.2016, when the Court was pleased to pass, inter-alia, the following orders:-

“xx xx xx xx xx xx xx

Another aspect brought to our notice by Mr. Biju deserves to be noted. On 5.4.2016, this Court has granted a sum of Rs.40,000/- (Rupees forty thousand only) to the husband of the deceased. It is submitted by Mr. Biju that the State Government has granted Rs. 2,00,000/- (Rupees two lac only) to other people who have breathed their last in the dog bite. This aspect can be brought to the notice of Justice Sri Jagan Committee which can give its report to this Court.

Mr. Krishnan Venugopal, learned senior counsel has filed a note for having immediate implementation of Animal Birth Control Rules. A copy of the note submitted by him be handed over to Ms. Pinky Anand, learned Additional Solicitor General appearing for the Union of India and the learned counsel appearing for various States and other parties. The same shall be considered on the next date of hearing.

In the course of hearing, we have been apprised that despite the orders passed by this Court, Jose Maveli has been constantly violating the orders. There are newspaper items to show that he has publicized the stray dog killing, though Mr. Biju, learned counsel appearing for Jose Maveli submits that he has not done any such acts. Be that as it may, he shall remain personally present in Court on the next date of hearing.

xx xx xx xx xx xx xx

List the matter on 1.03.2017. ”

It is further submitted that the instant Writ Petition alongwith other connected matters was mentioned before the Hon'ble Court on 30.11.2016, when the Court was pleased to pass the following orders:-

“On being mentioned by Mr. V. K. Biju, learned counsel the matter is taken on Board.

It is submitted by Mr. Biju, learned counsel appearing for Mr. Jose Sebastian, the husband of the deceased that at page 10 of the order dated 17.11.2016, this Court had mentioned 'Rs. 2,00,000/- (Rupees two lac only)' to have been granted towards compensation by the State Government whereas it should have been 'Rs. 5,00,000/- (Rupees five lac only)'.

The order be rectified accordingly.

However, we must clarify that when we have stated this fact so that it can be brought to the notice of Justice Sri Jagan Committee, it is not to be construed that we have expressed any opinion on the merits of the quantum.”

Copy of the aforesaid orders have been sent to the concerned parties.

It is submitted that Mr. G.S. Makkar, Advocate has on 17.11.2016 filed Vakalatnama/appearance on behalf of Respondent No. 1 viz Ministry of Environment and Forest.

It is further submitted that Mr. Gaurav Agrawal, Advocate has on 31.01.2017 filed Report No. 3 submitted by Justice(Retd.) S. Siri Jagan with the permission of Hon'ble Court and the same stands included in the Paper Books.

The Writ Petitions alongwith applications above-mentioned are listed before the Hon'ble Court with this Office Report for Orders.

Dated this the 28th day of February, 2017.

Sd/-
Assistant Registrar

vs/-