

ITEM NO.45

COURT NO.2

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(s)(Civil) No(s). 1082/2020

SUHAS CHAKMA

Petitioner(s)

VERSUS

UNION OF INDIA &amp; ORS.

Respondent(s)

WITH

Diary No(s). 40620/2024 (PIL-W)

(IA No. 201836/2024 - APPLICATION FOR PERMISSION AND IA No. 201841/2024 - EXEMPTION FROM FILING O.T.)

Date : 25-11-2024 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.R. GAVAI

HON'BLE MR. JUSTICE K.V. VISWANATHAN

For Petitioner(s)

Mr. K. Parameshwar, Sr. Adv. (A.C.)  
Ms. Kanti, Adv.  
Ms. Raji Gururaj, Adv.  
Mr. Srinivas Patil, Adv.  
Ms. Chitransha Sikarwar, Adv.

Mr. Dr. S. Muralidhar, Sr. Adv.  
Mr. Anuj Kapoor, AOR  
Mr. Shivom Sethi, Adv.  
Mr. M. A. Karthik, Adv.  
Ms. Ninni Susan Thornas, Adv.  
Mr. Maitreya Subramaniam, Adv.  
Ms. Pallak Bhagat, Adv.

Mr. Satish Pandey, AOR

For Respondent(s)

Mr. Tushar Mehta, S.G.  
Mr. Suryaprakash V Raju, A.S.G.  
Mr. Rajan K Chourasia, Adv.  
Mr. Kanu Agrawal, Adv.  
Mr. Raghav Sharma, Adv.  
Ms. Priyanka Terdal, Adv.  
Mr. Mr. Arvind Kumar Sharma, Aor, Adv.

Mr. Guntur Pramod Kumar, AOR  
Ms. Perna Singh, Adv.  
Mr. Dhruv Yadav, Adv.

Mr. Abhimanyu Tewari, AOR

Ms. Eliza Bar, Adv.

Mr. Nalin Kohli, Sr. Adv.  
Mr. Shuvodeep Roy, AOR  
Ms. Nimisha Menon, Adv.  
Mr. Deepayan Dutta, Adv.  
Mr. Saurabh Tripathi, Adv.

Mr. Abhishek Pandey, Adv.  
Mr. Prashant Kumar Umrao, AOR

Ms. Swati Ghildiyal, AOR  
Ms. Devyani Bhatt, Adv.  
Ms. Neha Singh, Adv.

Dr. Hemant Gupta, A.A.G.  
Mr. Samar Vijay Singh, AOR  
Mr. Shivang Jain, Adv.  
Mr. Varun Goel, Adv.  
Ms. Nitikaa Guptha, Adv.  
Mr. Saurabh Gupta, Adv.  
Ms. Sabarni Som, Adv.  
Mr. Fateh Singh, Adv.

Mr. Akshay Girish Ringe, AOR  
Mr. Kartikeya Rastogi, D.A.G.  
Mrs. Inderdeep Kaur Raina, Adv.

Mr. Nishe Rajen Shonker, AOR  
Mrs. Anu K Joy, Adv.  
Mr. Alim Anvar, Adv.

Mr. Pashupathi Nath Razdan, AOR  
Mr. Nirmal Kumar Ambastha, Adv.

Mr. Anand Dilip Landge, Adv.  
Mr. Siddharth Dharmadhikari, Adv.  
Mr. Aaditya Aniruddha Pande, AOR

Mr. Pukhrambam Ramesh Kumar, AOR  
Mr. Karun Sharma, Adv.  
Ms. Rajkumari Divyasana, Adv.

Mr. Anando Mukherjee, AOR  
Mr. Milind Kumar, AOR

Mr. Tushar Mehta, Solicitor General  
Mr. Shiv Mangal Sharma, A.A.G.  
Mr. Saurabh Rajpal, AOR  
Ms. Saubhaya Sundriyal, Adv.

Mr. Sameer Abhyankar, AOR

Mr. Rahul Kumar, Adv.  
Mr. Aryan Srivastava, Adv.  
Mr. Aakash Thakur, Adv.

Mr. Sabarish Subramanian, AOR  
Mr. Vishnu Unnikrishnan, Adv.  
Mr. C. Kranthi Kumar, Adv.  
Mr. Danish Saifi, Adv.  
Ms. Aswani Satheesh, Adv.

Ms. Devina Sehgal, AOR  
Mr. Dhananjay Yadav, Adv.

Ms. Garima Prasad, Sr. A.A.G.  
Mr. Pradeep Misra, AOR  
Mr. Daleep Dhyan, Adv.  
Mr. Suraj Singh, Adv.  
Mr. Sanjay Jain, Adv.

Ms. Ishita Bist, Adv.  
Mr. Manan Verma, AOR  
Mr. Sumit Kumar, Adv.

Ms. Astha Sharma, AOR  
Mr. Sanjeev Kaushik, Adv.  
Mr. Simranjeet Singh Rekhi, Adv.

Mr. Tadimalla Bhaskar Gowtham, Adv.  
Mr. Bhuvan Kapoor, Adv.  
Mr. Varun Chugh, Adv.  
Mr. Krishna Kant Dubey, Adv.  
Mr. Shreekant Neelappa Terdal, AOR

Mrs. Aishwarya Bhati, A.S.G.  
Mr. Mukesh Kumar Maroria, AOR  
Mr. Ketan Paul, Adv.  
Mr. Mayank Pandey, Adv.  
Ms. Shivika Mehra, Adv.  
Mr. Ishaan Sharma, Adv.  
Mr. Sarthak Karol, Adv.  
Ms. Astha Singh, Adv.  
Mr. Jagdish Chandra Solanki, Adv.

Ms. Rashmi Nandakumar, AOR  
Ms. Yashmita Pandey, Adv.

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

Diary No(s). 40620/2024

1. The contempt petition has been filed by the petitioner alleging that a part of the area allotted to Sanganer Correctional Home has been taken away by the Government and allotted for some other purpose.

2. Mr. Tushar Mehta, learned Solicitor General appearing for the Union of India has placed on record the map before us which is marked as 'X' for identification.

3. Learned Solicitor General also submits that the area which is marked in green admeasuring 17800 sq. meters was originally allotted to the open jail.

4. It is, however, submitted that in an area marked red admeasuring 22232.33 sq meter, the Government has proposed the 300 bedded Satelite Hospital.

5. It is submitted that, however, there are certain structures which were constructed by the prison authority without authorization on the said red area, where certain inmates of the Open Correctional Home are residing.

6. Learned Solicitor General submits that in order to balance the needs of having Hospital and protecting the interest of inmates of the Open Correctional Home, it is proposed that an additional area admeasuring 14940 sq. meter shown in blue would be allotted to the open prison.

7. It is further confirmed that the construction in the red

area would not be demolished until new construction is done in the blue/green area, wherein the inmates of the Open Correctional Home can be relocated.

8. It is further stated that in the event the construction of the Hospital is started, it will be done in a manner that until the residents in the red area are relocated and shifted in the green/blue area, the structures would not be demolished.

9. We, therefore find that it would be appropriate for the Court to appoint a 'Court Commissioner' for the site inspection and to submit its report on the following issues.

(i) As to the area of structures constructed on the red area.

(ii) As to whether the said structures can be suitably relocated in the green/blue area.

10. We are also of the considered view that there has to be a balance between the needs of having the Open Correctional Home and also a Hospital, which shall cater to the needs of the citizens residing in the vicinity.

11. We, therefore, direct the Secretary General of this Court to appoint a Registrar of this Court, who shall act as 'Court Commissioner' and submit a report to this Court within a period four weeks from today.

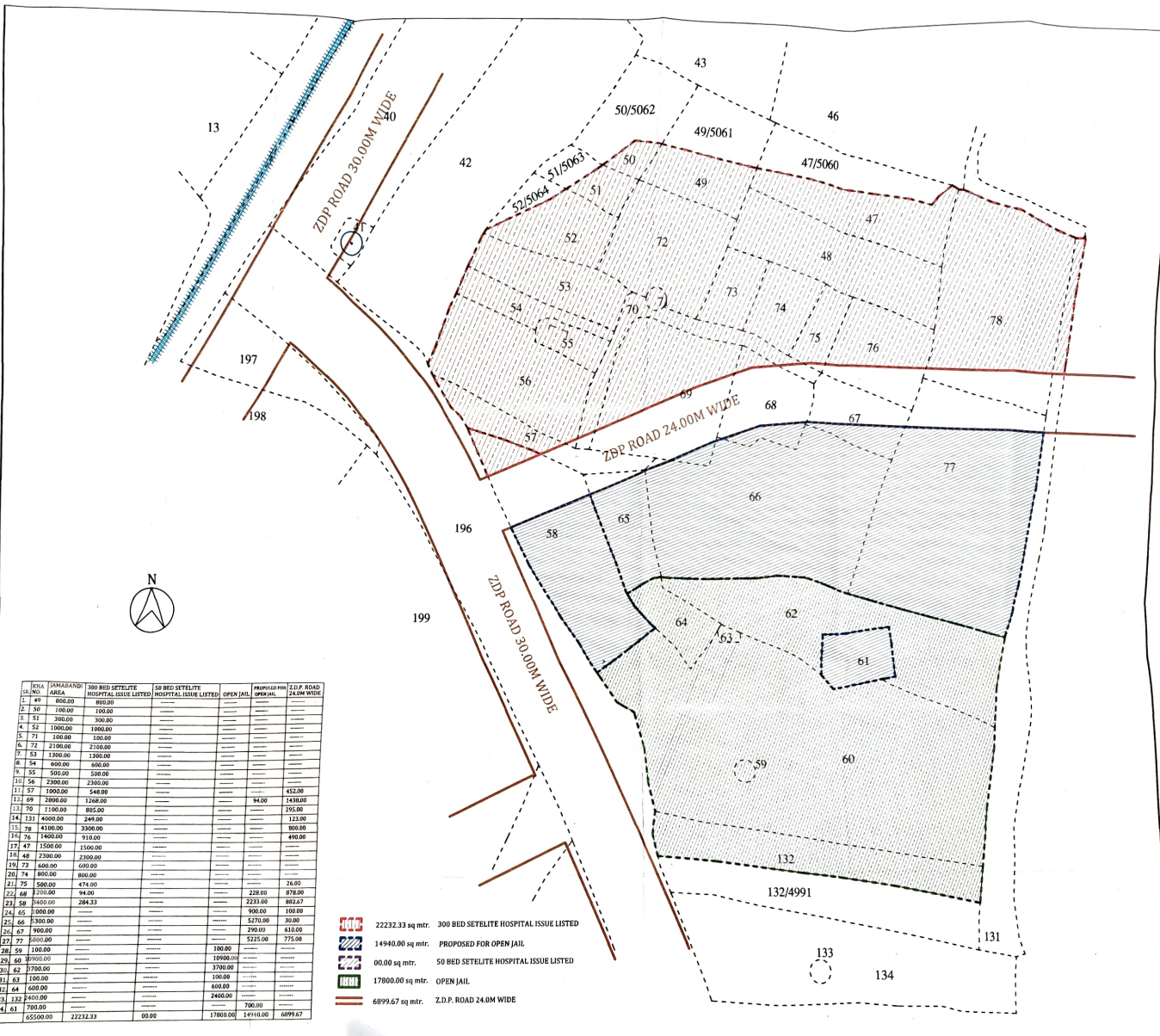
12. Needless to State that the State of Rajasthan shall provide necessary assistance to the Court Commissioner appointed

by this Court.






13. List both the matters together on 16.12.2024.

(DEEPAK SINGH)  
ASTT. REGISTRAR-cum-PS

(POOJA SHARMA)  
COURT MASTER (NSH)



NO.	AREA	300 BED SETTELITE HOSPITAL ISSUE LISTED	50 BED SETTELITE HOSPITAL ISSUE LISTED	OPEN JAIL	PROPOSED FOR OPEN JAIL	Z.D.P. ROAD 24.0M WIDE
1	49	800.00	800.00	-----	-----	-----
2	50	100.00	100.00	-----	-----	-----
3	51	300.00	300.00	-----	-----	-----
4	52	1000.00	1000.00	-----	-----	-----
5	71	100.00	100.00	-----	-----	-----
6	72	2100.00	2100.00	-----	-----	-----
7	53	1300.00	1300.00	-----	-----	-----
8	54	600.00	600.00	-----	-----	-----
9	55	500.00	500.00	-----	-----	-----
10	56	2300.00	2300.00	-----	-----	-----
11	57	1200.00	540.00	-----	-----	452.00
12	69	2800.00	1268.00	-----	94.00	1438.00
13	70	1100.00	895.00	-----	-----	235.00
14	131	6000.00	245.00	-----	-----	132.00
15	28	4100.00	3300.00	-----	-----	800.00
16	76	1400.00	910.00	-----	-----	490.00
17	67	1500.00	1500.00	-----	-----	-----
18	48	2300.00	2300.00	-----	-----	-----
19	73	600.00	600.00	-----	-----	-----
20	74	1800.00	800.00	-----	-----	-----
21	75	800.00	474.00	-----	-----	24.00
22	68	2100.00	94.00	-----	228.00	678.00
23	58	1400.00	284.23	-----	2233.00	892.67
24	65	1000.00	-----	-----	900.00	100.00
25	66	3300.00	-----	-----	5270.00	30.00
26	62	900.00	-----	-----	290.00	410.00
27	77	5000.00	-----	-----	5225.00	735.00
28	59	100.00	-----	-----	100.00	-----
29	60	3000.00	-----	-----	1800.00	-----
30	62	3700.00	-----	-----	3700.00	-----
31	63	100.00	-----	-----	100.00	-----
32	64	600.00	-----	-----	600.00	-----
33	132	2400.00	-----	-----	2400.00	-----
34	61	700.00	-----	-----	700.00	-----
		65500.00	22232.33	00.00	17800.00	14110.00 6099.67

-  22232.33 sq mtr. 300 BED SETTELITE HOSPITAL ISSUE LISTED
-  14940.00 sq mtr. PROPOSED FOR OPEN JAIL
-  00.00 sq mtr. 50 BED SETTELITE HOSPITAL ISSUE LISTED
-  17800.00 sq mtr. OPEN JAIL
-  6899.67 sq mtr. Z.D.P. ROAD 24.0M WIDE