

**Court No. - 2**

**Case :-** PUBLIC INTEREST LITIGATION (PIL) No. - 16150 of 2020

**Petitioner :-** Suo-Moto Inre Right To Decent And Dignified Last Rites/Cremat

**Respondent :-** State Of U.P. Thru Additional Chief Secretary Home And Ors.

**Counsel for Petitioner :-** Abhinav Bhattacharya,Ajit Singh,Anjani Kumar Mishra,Ashish Kumar Agarwal,Atul K. Singh,Atul Kumar Singh,Digvijay Singh Yadav,Jaideep Narain Mathur (Ac,Nadeem Murtaza,Onkar Singh,Pradeep Kumar Singh,Seema Kushwaha,Sharad Bhatnagar

**Counsel for Respondent :-** C.S.C.,A. S. G.,Abdul Ahad,Anurag Kumar Singh,Ashok Shukla,Dr. Ravi Kumar Mishra,Manjusha,Pranjal Krishna,Satyaveer Singh,Shagun Srivastava

**Hon'ble Rajan Roy,J.**

**Hon'ble Jaspreet Singh,J.**

Counter affidavit as also rejoinder affidavit filed today are taken on record.

We have heard Shri Pracha, learned Senior counsel for the victim's family assisted by Shri Abdul Ahad, learned counsel, Shri Abhinav Bhattacharya, learned Amicus, Shri V.K. Shahi, learned Additional Advocate General along with Shri Pranjal Krishna, learned counsel for the State and Shri S.B. Pandey, learned counsel for the Union of India.

Shri Pracha has joined the proceedings through video conferencing. The victim's family is also present in Court today.

We have been apprised that victim's family is facing certain problems regarding movement out of their home. It is informed that earlier when they had to go to the market to purchase something or to meet any doctor or to take their children to school, then the CRPF personnel used to accompany them in their own (CRPF) vehicle, as in view of the security risk they were not to go out alone or unaccompanied by CRPF personnel.

Now, CRPF personnel say that the family cannot go alone and should arrange for a vehicle for them, which makes it very difficult for them financially and even otherwise logistically. Every time, the CRPF personnel have to accompany the family members, rightly so, as it is necessary for their security but if every time the family has to arrange a vehicle, it becomes

cumbersome for them not only financially, but even otherwise and makes their life difficult. This is also for the reason that till date, according to them, they have not been rehabilitated to any other suitable place in any other district of their choice such as Gaziabad or Noida. Shri S.B. Pandey, learned Deputy Solicitor General is present. He says that he will seek instruction in the matter. We are of the opinion that whatever arrangement were being followed earlier in this regard should be continued, till we consider this issue.

We wanted to start hearing of the case on the merits of the issue regarding the cremation which took place in the intervening night of 29-30 September, 2020, however, it appears that some time is required in this regard by the learned counsel.

The matter shall now come up on 31.07.2024 for hearing on the main issue as already referred in the earlier orders and hereinabove and in this process, we shall also consider how far our order dated 26.07.2022 has been implemented. If not, the reasons therefore and what action is required in this regard.

**(Jaspreet Singh,J.) (Rajan Roy,J.)**

**Order Date :- 11.7.2024**  
Gurpreet Singh