

ITEM Nos. (2 + 17)

COURT NO.8

SECTION IX

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

SPECIAL LEAVE PETITION(CIVIL) Diary No(s). 35297/2022

(Arising out of impugned final judgment and order dated 20-10-2022 in CWP No. 562/2006 passed by the High Court Of Judicature At Bombay At Nagpur)

SWATI SUDHIRCHANDRA CHATTERJEE & ORS.

PETITIONER(S)

VERSUS

VIJAY SHANKARRAO TALEWAR & ORS.

RESPONDENT(S)

(FOR ADMISSION and I.R. and IA No.170996/2022-INTERVENTION APPLICATION and IA No.169336/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.169337/2022-PERMISSION TO FILE PETITION (SLP/TP/WP/..) and IA No.170999/2022-CLARIFICATION/DIRECTION and IA No.169338/2022-PERMISSION TO FILE ADDITIONAL DOCUMENTS/ FACTS/ ANNEXURES and IA No.171074/2022-APPLICATION FOR PERMISSION)

WITH

DIARY NO(S). 35322/2022 (IX)

(FOR ADMISSION and I.R. and IA No.170690/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.170689/2022- PERMISSION TO FILE PETITION)

ITEM NO. 17

SLP(C) NO. 20845/2022

(TO BE TAKEN UP ALONG WITH ITEM NO. 2 I.E. D.No. 35297/2022)
(FOR ADMISSION and I.R. and IA No.174849/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 16-11-2022 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJIV KHANNA
HON'BLE MR. JUSTICE J.K. MAHESHWARI

For Parties:

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Mr. Kartik Bhatnagar, Adv.
Mr. Rohan Sharma, Adv.
Mr. Anmol, Adv.
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Ms. Riddhi P., Adv.
Mr. Avishkar Singhvi, Adv.
Mr. Vivek Kumar, Adv.
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M/s Karanjawal & Co.

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Mr. Vikram Chandravanshi, Adv.
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Ms. Tanvi Nigam, Adv.

Ms. Rukmini Bobde, Adv.
Ms. Soumya Priyadarshini, Adv.
Mr. Ankit Ambasta, Adv.
Mr. Amit Kumar Srivastava, Adv.

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

Appearance is made on behalf of the Nagpur Municipal Commission and Animal Welfare Board of India. We would like them to file their response, and also take a stand, on the directions given by the High Court in the impugned order dated 20th October, 2022.

Till the next date of hearing, we deem it appropriate to stay the following observations in the order dated 20th October, 2022:

“8. ...If these so called friends of stray dogs are really interested in protection and welfare of the stray dogs, they must adopt the stray

dogs, take home the stray dogs or at least put them up in some good dog shelter homes and bear all the expenses for their registration with Municipal Authorities and towards their maintenance, health and vaccination..."

Further, we direct the Municipal Corporation to ensure and take required steps to enable the general public to feed the stray dogs at appropriate locations demarcated/identified by them. Equally, the Municipal Corporation will take steps to deal with the issue of 'nuisance' caused by ferocious and aggressive stray dogs, in accordance with law. The general public must ensure that public nuisance is not caused by feeding of the stray dogs.

Till the next date of hearing, it will be open to the Municipal Corporation to note down the names and details of the dog feeders, in case public nuisance or endangerment is caused because of their conduct. However, coercive steps in terms of fine as directed by the High Court, would not be taken without permission of this court.

We also clarify that the proceedings before the High Court will continue. The High Court will also be entitled to hear the applications for modification, review or appropriate directions, which, we are informed, are pending before the High Court.

List and tag with Civil Appeal No. 5988/2019.

(POOJA SHARMA)
COURT MASTER (SH)

(R.S. NARAYANAN)
COURT MASTER (NSH)