

REVISED

ITEM NO.61 + 48

COURT NO.6

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

Item No.61 :

Suo Motu Writ Petition (Cr1.) No(s).1/2019

I N R E : A L A R M I N G R I S E I N T H E N U M B E R O F
R E P O R T E D C H I L D R A P E I N C I D E N T S

AND

Item No.48 :

SLP(C)No.34251/2017

NATIONAL COMMISSION FOR PROTECTION OF
CHILD RIGHTS & ORS.

.. Petitioner(s)

Versus

Rajesh Kumar & Ors.

.. Respondent(s)

WITH W.P.(C)No.819/2019

Date : 05-08-2019 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DEEPAK GUPTA
HON'BLE MR. JUSTICE ANIRUDDHA BOSE

Mr. V. Giri, Sr. Adv. (A.C.)
Ms. Svadha Shankar, Adv.

SMWP (Cr1.)No.
1/2019

By Courts Motion

For appearing parties in SMWP (Cr1.)No.1/2019 :

State of UP

Mr. Ranjit Kumar, Sr. Adv.
Ms. Garima Prasad, Adv.
Mr. Sarvesh Singh Baghel, AOR
Mr. Pranav Kaashyap, Adv.
Mr. Rishi Raj Sharma, Adv.

Ms. Saumya Jay Karan Singh, Adv.
Ms. Harshita Raghuvanshi, Adv.

Mr. D. Ramakrishna Reddy, Adv.
Ms. Poonam Kaushik, Adv.
Ms. D. Bharathi Reddy, AOR

Mr. Rajat Nair, Adv.
Mr. Kanu Agrawal, Adv.
Mr. A.K. Sharma, AOR

For Petitioner(s) Dr. Anindita Pujari, AOR
Ms. Aarti Krupa Kumar, Adv.

Mr. Manoj V. George, Adv.
Ms. Shilpa Liza George, Adv.
Mr. Amit Kumar, Adv.
Mr. Aakarsh Kamra, AOR

For Respondent(s) Ms. Rukhmini Bobde, Adv.
Mr. Salvador S. Rebello, Adv.
Mr. Vishal Prasad, AOR

Mr. G.N. Reddy, Adv.
Mr. T. Vijaya Bhaskar Reddy, Adv.
Ms. Sujatha Bagadhi, Adv.

Mr. Vikas Mahajan, Adv. (AAG)
Mr. Vinod Sharma, AOR

Mr. Leishangthem Roshmani KH, AOR
Ms. Anupama Ngangom, Adv.
Ms. Maibam Babina, Adv.

Mr. Shibashish Misra, AOR
Mr. U.K. Mishra, Adv.
Mr. Niranjana Sahu, Adv.

Mr. M. Yogesh Kanna, AOR
Mr. S. Parthasarathy, Adv.
Mr. S. Raja Rajeshwaran, Adv.

Mr. Suhaan Mukerji, Adv.
Ms. Astha Sharma, Adv.
Mr. Amit Verma, Adv.
Mr. Abhishek Manchanda, Adv.
Ms. Kajal Dalal, Adv.
Mr. Prastut Dalvi, Adv.
Ms. Dimple Nagpal, Adv.
Mr. Naveen Kumar, Adv.
for M/s. PLR Chambers & Co., AOR

Mr. Kunal Chatterji, AOR
Ms. Maitrayee Banerjee, Adv.

Ms. Diksha Rai, AOR
Mr. Palak Mahajan, Adv.

Mr. V.N. Raghupathy, AOR
Mr. Manendra Pal Gupta, Adv.

Mr. Ranjan Mukerjee, AOR
Ms. Sneha Kalita, AOR
Mr. Upendra Mishra, Adv.
Mr. K.V. Khar Lyngdoh, Adv.

Ms. K. Enatoli Sema, AOR
Mr. Amit Kumar Singh, Adv.

Ms. Aruna Mathur, Adv.
Ms. Anuradha Arputham, Adv.
Ms. Geetanjali, Adv.
Mr. Raghuvendra Kumar, Adv.
M/s. Arputham Aruna & Co., AOR

Mr. S. Udaya Kumar Sagar, AOR
Ms. Swati Bhardwaj, Adv.

Mr. Abhimanyu Tewari, AOR
Ms. Eliza Bar, Adv.
Mr. Reginald Valasalan, Adv.

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Mr. Kabir Shankar Bose, Adv.
Mr. Sataroop Das, Adv.

Ms. Rekha Pandey, Adv.
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Ms. Priyanka Prakash, Adv.
Ms. Beena Prakash, Adv.

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Mr. Aniruddha P. Mayee, AOR
Mr. Sanjay Kumar Visen, AOR
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Ms. Swarupama Chaturvedi, AOR
Mr. Sunny Choudhary, AOR
Mr. G. Prabhakar, AOR
Mr. K.V. Vijayakumar, AOR
Mr. Gopal Singh, AOR

Ms. Uttara Babbar, AOR
Mr. Abhinav Mukerji, AOR
Ms. Hemantika Wahi, AOR
Mr. Gopal Prasad, AOR

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

SMWP(Cr1.)No.1/2019

It is stated that the uncle of the Victim (Mahesh Singh) has been transferred to Tihar Jail.

At this stage, learned counsel appearing for the family members of the victim has put in appearance and states that since the victim has developed Pneumonia, her mother now wants that she be shifted to All India Institute of Medical Sciences (AIIMS) at New Delhi.

Before transferring the victim from Lucknow to Delhi, the opinion of the doctors at Lucknow shall be obtained as to whether she is in a fit condition to be transferred to Delhi. In case the doctors opine that she is in fit condition to transfer, then she shall be transferred to AIIMS at New Delhi.

In view of the request of the mother, we direct the State of Uttar Pradesh to airlift the victim by air-ambulance to Delhi and transfer her to AIIMS today itself, if so permitted. The authorities at AIIMS are directed to make necessary arrangements for her proper treatment and care.

In case the family members of the lawyer of the victim make a similar request to the State authorities at

Lucknow by 3.00 p.m. today, he shall also be airlifted along with the victim, following the same procedure as laid down for the victim.

List on 9.8.2019.

In furtherance of the earlier order it is clarified that the responsibility of AIIMS starts from the tarmac of the Airport of Delhi.

SLP(C)No.34251/2017 & WP(C)No.819/2019 :

List along with SMWP(Cr1.)No.1/2019.

(Anand Prakash)
Branch Officer

(Sarita Purohit)
AR-cum-PS

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