

ITEM NO.54

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). 1496/2018

GAURAV KUMAR BANSAL

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(FOR ADMISSION and IA No.180630/2018-PERMISSION TO APPEAR AND ARGUE
IN PERSON)

Date : 03-01-2019 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.K. SIKRI
HON'BLE MR. JUSTICE S. ABDUL NAZEER

For Petitioner(s) Mr. Gaurav Kumar Bansal, (In-person)

For Respondent(s) Mr. Tushar Mehta, S.G.
Mr. B.V. Balaram Das, AOR

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

Issue notice.

We have requested Mr. Tushar Mehta, learned Solicitor General of India, who is present in the Court, to appear on behalf of the Union of India as the issues raised are of serious concern and need immediate attention. Mr. B.V. Balaram Das, learned Advocate on Record, accepts notice on behalf of respondent No. 1 - Union of India.

The petitioner, who appears in person, has also drawn our attention to the fact that some of the patients suffering from Mental illness and are lodged in Faith Based Mental Asylum situated near Mohalla Kabulpur, District Badayun, Uttar Pradesh, are kept

under chains. In order to support the submission, the petitioner has placed on record photographs of such persons which are annexed with the petition from page Nos. 25 to 30. This is not only inhuman and violative of rights of such persons under Article 21 of the Constitution of India, as even a person suffering from mental disability is still a human being and his dignity cannot be violated. It is also against the spirit of Section 95 of the Mental Healthcare Act, 2017.

Mr. Tushar Mehta, learned Solicitor General of India, has also fairly accepted the aforesaid position and requests for two days' time to look into the matter.

List on 07.01.2019.

(SUSHIL KUMAR RAKHEJA)
AR-CUM-PS

(RAJINDER KAUR)
BRANCH OFFICER