

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

WRIT PETITION (C) No(s). 931/2016

SUBHAN TOURS AND TRAVEL SERVICES

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

WITH

WRIT PETITION(C) No. 959/2016

WRIT PETITION(C) No. 950/2016

WRIT PETITION(C) No. 937/2016

WRIT PETITION(C) No. 975/2016

WRIT PETITION(C) No. 1033/2016

WRIT PETITION(C) No. 1039/2016

WRIT PETITION(C) No. 45/2017

WRIT PETITION(C) No. 151/2017

O R D E R

Heard learned counsel for the parties.

The limited issue now which is before us relates to the consideration of Private Tour Operators(PTOs) for Haj Pilgrimage for the year 2018.

We may refer to the orders passed by this Court in Union of India and Others Vs. Rafique Shaikh Bhikan and Others 2013(4) SCC

699. The interested PTOs were put in following two categories:-

Category I	PTOs registered with MEA and facilitated Hajis at least for 7 Haj operations or more.
Category II	PTOs registered with MEA and facilitated Hajis for at least for 1 to 6 Haj operations and PTOs which have facilitated at least 50 umrah pilgrims in a year for any five years.

Insofar as petitioner(s) are concerned, they claim their right to be considered in view of the first part of the Category II. The apprehension expressed is that the respondent(s) are raising the issue that despite their having successfully carried out the Haj pilgrimages for the years prior to the year 2013, part of the payments for travel were made by cash. It is not disputed before us that prior to the year 2013, there was no such restriction on making payment in cash and thus, the accepted position is that such of the PTOs who have facilitated the Hajis to travel through the Haj operators in any year prior to 2013 would be considered as eligible for consideration for year 2018. The requirement is of a Haj operation in any one of the years which would make them eligible for the year 2018.

Needless to say, only such applicants who have applied for the year 2018 would be so considered.

The writ petitions stand disposed of accordingly.

.....J.
(J. CHELAMESWAR)

.....J.
(SANJAY KISHAN KAUL)

NEW DELHI
April 26, 2018.

ITEM NO.9

COURT NO.2

SECTION X

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Writ Petition(s)(Civil) No(s). 931/2016

SUBHAN TOURS AND TRAVEL SERVICES

Petitioner(s)

VERSUS

UNION OF INDIA AND ORS. & ORS.

Respondent(s)

(IA No.97613/2017-PERMISSION TO FILE ADDITIONAL DOCUMENTS)

WITH

W.P.(C) No. 959/2016 (X)

(IA No.24424/2018-PERMISSION TO FILE ADDITIONAL DOCUMENTS)

W.P.(C) No. 950/2016 (X)

(FOR PERMISSION TO FILE ANNEXURES ON IA 1/2016)

W.P.(C) No. 937/2016 (X)

(IA No.96616/2017-PERMISSION TO FILE ADDITIONAL DOCUMENTS)

W.P.(C) No. 975/2016 (X)

(FOR PERMISSION TO FILE ANNEXURES ON IA 1/2017)

W.P.(C) No. 1033/2016 (X)

W.P.(C) No. 1039/2016 (X)

W.P.(C) No. 45/2017 (X)

W.P.(C) No. 151/2017 (X)

Date : 26-04-2018 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J. CHELAMESWAR

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL

For Petitioner(s)

Mr. Sulaiman Mohd. Khan, Adv.

Mr. Ainul Ansari, Adv.

Ms. Taiba Khan, Adv.

Mr. Mohit Prasad, Adv.

Mr. Chandra Bhushan Prasad, AOR

Mr. Rajat Bhardwaj, AOR

Mr. Kripa Shankar Prasad, AOR

Mr. Inamul Haq, Adv.

Mr. Pardeep Jatav, Adv.

Mr. Harshad V. Hameed, AOR
Mr. Dileep Poolakkot, Adv.
Ms. Ashly Harshad, Adv.

Mr. Sayid Marzook Bafaki, AOR

For Respondent(s)

Ms. Pinky Anand, ASG
Mr. A.K. Panda, Sr. Adv.
Mr. Bhuvan Mishra, Adv.
Mr. Hemant Arya, Adv.
Mr. Sumit Teterwal, Adv.
Ms. Snidha Mehra, Adv.
Mr. Amit Sharma, Adv.
Mr. Sachin Sharma, Adv.
Mr. Vinay K. Yadav, Adv.
Mr. Sumit Goel, Adv.
Ms. Anil Katiyar, AOR
Mr. Raj Bahadur Yadav, AOR
Mr. Mukesh Kumar Maroria, AOR

Mrs. Priya Puri, AOR

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

The writ petitions are disposed of in terms of the signed order.

Pending application(s), if any, stand disposed of.

(DEEPAK MANSUKHANI)
AR CUM PS

(RAJINDER KAUR)
COURT MASTER

(Signed order is placed on the file)