

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 416 OF 2015  
(Arising out of SLP(C) No.1199 of 2015  
@ C.C. No. 245 of 2015)

K. Raghu Rama Krishna Raju & Ors ..Appellant(s)

Versus

The State of Andhra Pradesh,  
represented by Home Secretary,  
Andhra Pradesh, Sachivalayam, ..Respondent(s)  
Hyderabad & Ors.

O R D E R

1. Application for permission to file special leave petition is allowed.
2. Leave granted.
3. This appeal is directed against the order passed by the High Court of Judicature at Hyderabad for the State of Telangana and for the State of Andhra Pradesh in Public Interest Litigation No.320 of 2014, dated 29.12.2014.

4. The learned Judges of the High Court while disposing of the writ petition had made reference to an order said to have been passed by the Government of Andhra Pradesh. That Government Order is neither in the records nor produced before us by the Government Counsel even now. Therefore, in our opinion, the High Court was not correct in relying upon a Government Order which does not exist.

5. In that view of matter, we allow this civil appeal and set aside the order so passed by the High Court. The matter is remanded to the High Court to decide the writ petition afresh in accordance with law keeping in view the observations made by this Court in the case of *Animal Welfare Board of India vs. A. Nagaraja & Ors.* reported in JT 2014 (7) SC 1 after affording an opportunity of hearing to all the parties, including the Animal Welfare Board of India.

6. We may note that the status quo shall be maintained as of today, till the writ petition is decided by the Court one way or the other.

.....CJI.  
[ H.L. DATTU ]

.....J.  
[ A.K. SIKRI ]

NEW DELHI,  
JANUARY 12, 2015.



ITEM NO.59

COURT NO.1

SECTION XIIA

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

Petition(s) for Special Leave to Appeal (C).....of 2015  
CC No. 245/2015

(Arising out of impugned final judgment and order dated  
29/12/2014 in PIL No. 320/2014 passed by the High Court Of  
Judicature At Hyderabad For The State Of Telangana And The  
State Of Andhra Pradesh)

K. RAGHU RAMA KRISHNA RAJU & ORS.

Petitioner(s)

VERSUS

THE STATE OF A.P. REP. BY HOME SECRETARY,  
AP SACHIVALAYAM HYDERABAD & ORS.  
(With appln. (s) for permission to file SLP)

Respondent(s)

Date :12/01/2015 This petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE A.K. SIKRI

For Petitioner(s) Mr. Anoop Choudhary, Sr. Adv.  
Mr. N. Rajaraman, Adv.

For Respondent(s) Mr. Anand Grover, Sr. Adv.  
Mr. Mihir Samson, Adv.  
Mr. Purushottam Sharma Tripathi, Adv.  
Mr. Mukehs Kumar Singh, Adv.  
Ms. Filza Moonis, Adv.  
Mr. Ravi Chandra prakash, Adv.  
Mr. Shantanu, Adv.

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

Application for permission to file special leave  
petition is allowed.

Leave granted.

The civil appeal is allowed, the order passed by  
the High Court is set aside. The matter is remanded  
to the High Court to decide the writ petition afresh

in accordance with law keeping in view the observations made by this Court in the case of Animal Welfare Board of India vs. A. Nagaraja & Ors. reported in JT 2014 (7) SC 1 after affording an opportunity of hearing to all the parties, including the Animal Welfare Board of India.

The status quo shall be maintained as of today, till the writ petition is decided by the Court one way or the other.

[ Charanjeet Kaur ]  
Court Master

[ Vinod Kulvi ]  
Asstt. Registrar

{ Signed order is placed on the file }