

245

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**Date of decision : 20.09.2017
CWP-20450-2017**

1.

Hitesh Kaplish

... Petitioner(s)

Versus

State of Punjab and others

... Respondent(s)

2.

CWP-21047-2017

Mukul Goyal

... Petitioner(s)

Versus

State of Punjab and others

... Respondent(s)

**CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MR. JUSTICE AMIT RAWAL**

Present: Mr. Loveneet Thakur, Advocate
for the petitioner in CWP-20450-2017.

Mr. Mukul Goyal, petitioner in person in CWP-21047-2017.

Mr. Satya Pal Jain, Addl. Solicitor General of India with
Mr. Dheeraj Mahajan, Senior Counsel Govt. of India,
for the respondent(s)-Union of India.

Ms. Shivangi Sharma, Standing Counsel,
for the respondent(s)-U.T. Chandigarh.

Ms. Rameeza Hakeem, Addl. A.G., Punjab.

Mr. Sandeep Moudgil, Addl. A.G., Haryana.

AJAY KUMAR MITTAL, J. (ORAL)

This order shall dispose of two writ petitions bearing **CWP**

Nos.20450 & 21047 of 2017, as according to the learned counsel for the parties, the issues involved therein, are identical. For brevity, the facts are being taken from CWP No.20450 of 2017.

2. The prayer in the Public Interest Writ Petition under Articles 226/227 of the Constitution of India is for issuance of an appropriate writ, order or direction in the nature of *mandamus*, directing the respondents to ban the access and the game itself known by the name of "Blue whale", which has resulted in the death and suicide of many youngsters worldwide and the same has started happening in India as well as within the jurisdiction of this Hon'ble Court.

3. Upon notice of motion having been issued, learned counsel for the respondent(s) has pointed out that Hon'ble the Supreme Court, in Writ Petition (Civil) No.872 of 2017 titled as **"N.S. Ponnaiah V/s Union of India and another"**, has taken the cognizance of similar issue and issued notice on 15.09.2017. A copy of the order dated 15.09.2017 has been produced in Court today, which is taken on record.

4. In view of above, learned counsel for the petitioner in CWP No.20450 of 2017 and petitioner in person in CWP No.21047 of 2017 state that they may be allowed to withdraw the present writ petitions with liberty to the petitioner(s) to approach the Apex Court either by way of filing a separate writ petition or by filing an application for intervening in the aforementioned petition. It was also prayed that liberty to approach this Court again be granted, in case, any grievance with regard to the aforesaid game, after the passing of the order by the Apex Court, survives, on any issue not being the subject matter of the decision before the Apex Court.

5. Dismissed as withdrawn with liberty as prayed for. However, it shall be open to the petitioner(s) to take recourse to the remedies as may be available to them, in accordance with law.

(AJAY KUMAR MITTAL)
JUDGE

20.09.2017
Yogesh Sharma

(AMIT RAWAL)
JUDGE

Whether speaking/reasoned **Yes/ No**

Whether Reportable **Yes/ No**