

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9814 of 2021

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Arun Kumar Sahu Son of Late Sital Prasad Resident of Chatti Road, Ward No. 34, Begusarai Municipal Corporation, Police Station Begusarai Sadar, District- Begusarai.

... .. Petitioner/s

Versus

1. The Union of India through the Secretary of Ministry of Law, Government of India, New Delhi.
2. The Secretary of Ministry of Law, Government of India, New Delhi.
3. The Secretary of Ministry of Homes, Government of India, New Delhi.
4. The Secretary of Ministry of Parliamentary Affairs, Central Secretariate, Government of India, New Delhi.
5. The State of Bihar through Chief Secretary, Government of Bihar, Patna.
6. The Chief Secretary, Government of Bihar, Patna.
7. The Inspector General Prison, Government of Uttar Pradesh, Lucknow.
8. The Secretary, Prison, Department of Prison, The Government of Uttar Pradesh, Lucknow.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Choudhary Shyam Nandan, Advocate Mr. Ravi Shankar Pankaj, Advocate
For the Respondent/s	:	Mr.Dr. K. N. Singh (ASG) Mr. Pawan Kumar, AC to AG

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

(The proceedings of the Court are being conducted by Hon’ble the Chief Justice/Hon’ble Judges through Video Conferencing from their residential offices/residences. Also the Advocates and the Staffs joined the proceedings through Video Conferencing from their residences/offices.)

2 20-07-2021 Petitioner has prayed for the following relief(s):-

“(i) For the issuance of writ/writs, Order/Orders,
direction/directions, Command/Commands and further



for the issuance of writ directing the Respondent no. 1, 2, 3 and 4 who holding the post in the different department of union of India for making effort in the amendment as well as perfect guideline for implementation of capital punishment of death to woman in the provision of jail Manual and make appropriate direction to Respondent States, including Uttar Pradesh Authorities specially Respondent no. 7 and 8 to make necessary amendment for execution of death as Capital Punishment by appointing gender wise executor/Hangman/woman in Prisoners Act in light of section 27 of Prison Act 1894 for future reference and petitioner further prays for grant of any other relief/reliefs for which the petitioner found entitled be given in the fact and circumstances of the case as well as a general be given to all state prison authority to amend the provision of Capital Punishment of death Penalty to the female as decided by the Respondent no.2.”

After the matter was heard for some time, learned counsel for the petitioner seeks permission to withdraw the present petition reserving liberty to approach the authority concerned for redressal of the grievances.

Prayer allowed.

The present application is, accordingly, disposed of as withdrawn reserving liberty to the petitioner to file appropriate representation before the appropriate authority within a period of four weeks from today. If such a representation is filed by the



petitioner within the stipulated time, the authority concerned is directed to consider the same and dispose it of expeditiously and preferably within a period of four weeks thereafter.

Needless to say that while considering such request, principles of natural justice shall be followed and due opportunity of hearing afforded to the parties.

If aggrieved by the said order, the petitioner shall have liberty to approach this Court by way of separate petition(s), if so required and desired.

Interlocutory application, if any, shall also stand disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

K.C.Jha/-

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