

IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

248

CWP-24122-2021 (O&M)
Date of Decision: 31.01.2024

COMPASSION FOR ANIMALS WELFARE ASSOCIATION

... Petitioner

VERSUS

ANIMAL WELFARE BOARD OF INDIA AND ANOTHER

... Respondents

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ.

Present: Mr. Kamal Gupta, Advocate for
Mr. Harlove Singh Rajput, Advocate
for the petitioner.

Mr. Arun Gosain, Advocate
for respondent No.1.

Mr. Teevar Sharma, AAG, Punjab.

VINOD S. BHARDWAJ, J. (ORAL)

CM-10160-CWP-2022

Allowed as prayed for subject to all just exceptions.

The reply on behalf of respondent No.1 is ordered to be taken on
record. Registry is directed to tag the same at appropriate place of the paper
book and page mark the same.

MAIN CASE

Challenge in the present petition is to the impugned orders/notices
dated 25.02.2021 and 15.09.2021 whereby the petitioner has been restrained
from carrying out the Animal Birth Control/Sterilisation and Anti Rabies
Programmes etc.

In compliance of order dated 12.01.2023 and 27.04.2023, the
requisite status report has already been filed.

Learned counsel for respondent No.1- Animal Welfare Board of India contends that the present petition has become infructuous inasmuch as the Union of India has now notified Animal Birth Control Rules, 2023 vide notification published in the Gazette of India on 10.03.2023. As per the newly notified Rules, every operator/NGO is now required to seek registration in terms of the said new Rules.

In view of the aforesaid, the present petition is disposed of as having been rendered infructuous w.r.t. the limited prayer that has been made. The petitioner may, however, seek revival of the present petition in case any of his grievance(s) still survives.

All other misc. application(s), if any, also stand(s) disposed of accordingly.

JANUARY 31, 2024
rajender

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No