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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 14587/2023

ASHWINI KUMAR UPADHYAY

.....Petitioner

Through: Petitioner in person

versus

UNION OF INDIA & ORS

.....Respondents

Through: Mr. Chetan Sharma, ASG and Mr. Apoorv Kurup, GGSC with Mr. Saurabh Tripathi, Mr. Amit Gupta, Mr. Shubham Sharma, Mr. Akhil Hasija, Ms. Nidhi Mittal, Ms. Gauri Goburdhan and Mr. Vikramaditya Singh, Advocates for UOI.
Mr. Puneet Rai, Mr. Ashvini Kumar and Mr. Rishabh Nangia, Advocates for R-2/Income Tax Dept.
Ms. Mehak Nakra, ASC (Civil) GNCTD with Ms. Gunjan Suyal and Ms Anjali Pandey, Advocates for R-5.

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

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26.09.2024

1. Present public interest petition has been filed seeking a direction to Central and State Governments to use the proper meaning of “religion”, i.e., *Panth or Sampradaya* and not *Dharma* in official documents such as Birth Certificate, Aadhar Card, School Certificate, Ration Card, Driving Licence, Domicile Certificate, Death Certificate and Bank Account. The petitioner



further seeks a direction to the Central and State governments to include a chapter on “*Dharma* and Religion” in school curriculum.

2. This Court finds that the petitioner essentially expects this Court to carry out an exercise in semantics and assume the role of a theological and philosophical authority to determine the difference between *Dharma*, Religion or *Sampradaya*, which is well beyond the Constitutional mandate of this Court. The language, its usage and meaning are products of an organic evolution of society and they cannot be dictated by Courts, except when the same is obscene or contrary to the spirit and letter of the law.

3. Consequently, the present writ petition is disposed of with a direction to the Ministry of Education and Culture to treat the writ petition as a representation and to decide the same in accordance with law as expeditiously as possible.

4. The rights and contentions of all the parties are left open.

ACTING CHIEF JUSTICE

TUSHAR RAO GEDELA, J

SEPTEMBER 26, 2024

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