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* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ W.P.(CRL) 2474/2024

GANTAVYA GULATI

.....Petitioner

Through: Petitioner in person.

versus

UNION OF INDIA

.....Respondent

Through: Mr. Shivam Sachdeva, SPC with
Mr. Yash Agrawal, Adv. for UoI.

Ms. Varnika Singh, Mr. Khuloos Aziz
Chawla and Mr. Mukesh, Advs. for
Applicant in CM APPL. 5921/2026.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE TEJAS KARIA

ORDER

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20.03.2026

CRL.M.A. 1980/2026 (for delay)

1. This is an application moved on behalf of the appellant seeking condonation of 117 days delay in re-filing the restoration application.
2. Heard the petitioner, who appears in person and learned counsel for the respondent.
3. For the reasons averred in the application, the delay in re-filing the restoration application is hereby condoned.
4. The application stands disposed of.

CRL.M.A. 1979/2026 (for restoration of the writ petition)

5. This is an application moved on behalf of the appellant seeking



restoration of W.P.(CRL) 2474/2024.

6. This Public Interest Litigation petition, which was filed by the petitioner seeking a direction to the respondent to restore legal protection against non-consensual sexual acts equivalent to those provided under the now repealed Section 377 of the Indian Penal Code, 1860, to ensure the safety and dignity of individuals, particularly those from the LGBTQIA+ community, who are at risk in the absence of such protection.

7. The Court disposed of the said writ petition by means of an order dated 28.08.2024 directing therein that the petition and the application made therein shall be treated as a representation which shall be decided by the Union of India as expeditiously as possible. The Court has further provided that if there is inordinate delay in considering the petitioner's representation, he shall be at liberty to seek revival of the present writ petition.

8. It has been stated by the petitioner, who appears in person, that pursuant to the order dated 28.08.2024, though sufficient time of more than one and half years has elapsed, however, in compliance of the said order no decision on the petitioner's representation has been taken.

9. This Court *vide* its order dated 20.01.2026 had directed the learned counsel representing the Union of India to obtain instructions. Sh. Shivam Sachdeva, learned counsel representing the Union of India has stated that the subject matter of the representation to be decided is sensitive, which can be done only after gathering the views of all the concerned stakeholders. He states that the process of decision on the representation is going on, however, the same likely to take some time.

10. As already observed above, the direction for consideration and taking decision on the representation of the petitioner was issued by the Court on



28.08.2024. A time period of one and half years can be safely said to be reasonable time to take any decision in terms of the said representation, however, the decision is nowhere in sight.

11. In view of the aforesaid, the writ petition is restored to its original number.

12. The application stands disposed of.

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13. Let an affidavit be filed by the respondent as to what steps have been taken to ensure compliance of the order dated 28.08.2024, within a period of four weeks. Two weeks time thereafter shall be available to the petitioner to file response to the said affidavit, if any.

14. List on 29.05.2026.

CRL.M.A. 4275/2026 (for amendment)

15. This is an application moved on behalf of the petitioner seeking amendment in the prayer clause of the writ petition.

16. Heard the petitioner and learned counsel for the respondent.

17. Having regard to the nature of amendment sought, the application is allowed. Let the amended copy of the writ petition be taken on record.

18. The application stands disposed of.

CRL.M.A. 5921/2026 (for impleadment)

19. This is an application moved on behalf of Federation for Indian Animal Protection Organization (FIAPO) seeking its impleadment in the instant writ petition.

20. However, having regard to the overall facts and circumstances, we



permit the applicant to intervene in the matter and assist the Court.

21. The application stands disposed of.

DEVENDRA KUMAR UPADHYAYA, CJ

TEJAS KARIA, J

MARCH 20, 2026
“shailndra”