

ITEM NO.41

COURT NO.11

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Writ Petition(s)(Civil) No(s). 1496/2018

GAURAV KUMAR BANSAL

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

IA No. 136698/2021 - EXEMPTION FROM FILING AFFIDAVIT  
IA No. 32370/2020 - EXEMPTION FROM FILING O.T.  
IA No. 44984/2019 - EXEMPTION FROM FILING O.T.  
IA No. 180630/2018 - PERMISSION TO APPEAR AND ARGUE IN PERSON

WITH

W.P.(C) No. 976/2019 (PIL-W)

IA No. 99854/2019 - EX-PARTE STAY

IA No. 99861/2019 - PERMISSION TO APPEAR AND ARGUE IN PERSON

W.P.(C) No. 1145/2021 (PIL-W)

IA No. 135115/2021 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 135117/2021 - EXEMPTION FROM FILING AFFIDAVIT

IA No. 135114/2021 - PERMISSION TO APPEAR AND ARGUE IN PERSON

Date : 07-02-2025 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE PAMIDIGHANTAM SRI NARASIMHA  
HON'BLE MR. JUSTICE PRASHANT KUMAR MISHRA

For Petitioner(s) : Petitioner-in-person

For Respondent(s) :Mr. Amrish Kumar, AOR  
Mr. K.M. Nataraj, A.S.G.  
Mrs. Aishwarya Bhati, A.S.G.  
Mr. Abhishek Atrey, Adv.  
Mr. Vanshaja Shukla, Adv.  
Mr. Anuj Srinivas Udupa, Adv.  
Mr. Sudarshan Lamba, aor, Adv.

Mr. Guntur Pramod Kumar, AOR  
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Mr. Samarth Krishan Luthra, Adv.

Ms. Aishwarya Bhati, A.S.G.  
Ms. Vanshaja Shukla, Adv.  
Mr. Abhishek Atrey, Adv.  
Ms. Rajeshwari Shankar, Adv.

Ms. Adya Jha, Adv.  
Dr. N. Visakamurthy, AOR

Mr. Abhimanyu Tewari, AOR  
Ms. Eliza Bar, Adv.

Mr. Shuvodeep Roy, AOR  
Mr. Sunny Choudhary, AOR

Mr. Manish Kumar, AOR  
Mr. Divyansh Mishra, Adv.

Ms. Aswathi M.k., AOR

Mr. Ruchira Gupta, Adv.  
Mr. Shishir Deshpande, AOR  
Ms. Pooja Tripathi, Adv.  
Mr. Amit Kumar, Adv.  
Mr. Abhishek Verma, Adv.

Ms. Swati Ghildiyal, AOR

Mr. Shekhar Raj Sharma, D.A.G.  
Mr. Samar Vijay Singh, AOR  
Ms. Nidhi Narwal, Adv.  
Ms. Sabarni Som, Adv.  
Mr. Anurag Kulharia, Adv.  
Mr. Saurabh Sachdeva, Adv.  
Dr. Ratipal Singh Tanwar, Adv.  
Mr. Sameer Mehndiratta, Adv.  
Mr. Gyanesh Kumar Maheshwari, Adv.

Mr. Ankit Kumar Lal, AOR

Mr. Jayant Mohan, AOR  
Ms. Adya Shree Dutta, Adv.  
Ms. Meenakshi Chatterjee, Adv.

Mr. G.m.kawoosa, Adv.  
Mr. Pashupathi Nath Razdan, AOR

Mr. V. N. Raghupathy, AOR  
Ms. Mythili S, Adv.  
Mr. M. Bangaraswamy, Adv.  
Mr. Venkata Raghu Mannepalli, Adv.  
Mr. Shiv Kumar, Adv.  
Ms. Vaishnavi, Adv.

Mr. Nishe Rajen Shonker, AOR  
Mrs. Anu K Joy, Adv.  
Mr. Alim Anvar, Adv.

Mr. Santhosh K, Adv.

Mr. Sarad Kumar Singhania, AOR  
Ms. Rashmi Singhania, Adv.

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Mr. Siddharth Dharmadhikari, Adv.  
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Mr. Karun Sharma, Adv.  
Ms. Anupama Ngangom, Adv.  
Ms. Rajkumari Divyasana, Adv.

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Mr. Rohit Kumar, Adv.

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Ms. Nidhi Jaswal, Adv.  
Mr. Saurabh Rajpal, Adv.

Mr. Sameer Abhyankar, AOR  
Mr. Rahul Kumar, Adv.  
Mr. Aryan Srivastava, Adv.

Mr. Krishna Rustogi, Adv.  
Mr. Aakash Thakur, Adv.

Mr. Sabarish Subramanian, AOR

Mr. Sarvesh Singh Baghel, AOR

Mr. Rajeev Kumar Dubey, Adv.  
Mr. Kamendra Mishra, AOR

Ms. Astha Sharma, AOR  
Mr. Rajiv Kumar Choudhry, AOR  
Ms. G. Indira, AOR  
Mr. Raj Bahadur Yadav, AOR

Mr. Varun Chugh, Adv.  
Mr. Mukesh Kumar Verma, Adv.  
Mr. Shreekant Neelappa Terdal, AOR

Ms. Ankita Sharma, AOR  
Mr. Arjun D. Singh, Adv.  
Mr. J. Prasad, Adv.

Ms. Suveni Bhagat, AOR

Mr. Kunal Mimani, AOR  
Mr. Prashant Aai, Adv.

Mr. Avijit Mani Tripathi, AOR  
Mr. T.K. Nayak, Adv.

UPON hearing the counsel the Court made the following  
O R D E R

1. The present Writ Petition(s) under Article 32 of the Constitution was filed on 08.12.2018, seeking certain directions with respect to the persons requiring mental healthcare.
2. Commencing from 03.01.2019, this Court has been passing orders from time to time in proceedings which were in the nature of continuing Mandamus. In the year 2017, Parliament enacted the Mental Healthcare Act, 2017. The 2017 legislation inter alia contemplates establishment of Central Mental Health Authority (CMHA)(Sections 33-44), State Mental Health Authority (SMHA)

(Sections 45-56), Mental Health Review Board (MHRB)(Sections 73-85).

3. Ms. Aishwarya Bhati, learned Additional Solicitor General appears on behalf of the Union. We direct that Union of India shall file a detailed affidavit indicating the establishment and functioning of the Central Mental Health Authority, State Mental Health Authority and Mental Health Review Board. The affidavit shall also indicate the statutory and mandatory appointments to the authority and the review board. The said affidavit may be filed by 06.03.2025.

4. List on 21.03.2025.

(KAPIL TANDON)  
COURT MASTER (SH)

(NIDHI WASON)  
COURT MASTER (NSH)