

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

Writ Petition (Civil) No(s).118/2016

SHAYARA BANO

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

WITH

SMW(C) No.2/2015 (PIL-W)

W.P.(C) No.288/2016 (X)

W.P.(C) No.327/2016 (X)

W.P.(C) No.665/2016 (X)

W.P.(C) No.43/2017 (X)

Date : 22-08-2017 These matters were called on for pronouncements
of judgment today.

For Petitioner(s)/Applicant(s) :

UOI

Mr. Tushar Mehta,ASG
Ms. Pinky Anand,ASG
Mr. Devashish Bharuka,Adv.
Ms. Madhvi Diwan,Adv.
Ms. Aishwarya Bhati,Adv.
For Mr. Mukesh Kumar Maroria,AOR
& Mr. Gurmeet Singh Makker,AOR

In WP(C) 118/2016

Mr. Amit Singh Chadha,Sr.Adv.
Mr. Balaji Srinivasan,AOR
Mr. Arunava Mukherjee,Adv.
Mr. Dilpreet Singh,Adv.
Mr. Abhishek Bharti,Adv.
Ms. Srishti Govil,Adv.
Ms. Vaishnavi Subrahmanyam,Adv.
Ms. Pratiksha Mishra,Adv.
Mr. Prashant Murthy,Adv.

In WP(C) 288/2016

Mr. Divyesh Pratap Singh,AOR

In WP(C) 327/2016

Ms. Priya Hingorani,Adv.
Mr. Ashwani Upadhyaya,Adv.
Mr. Balaji Srinivasa,AOR
Mr. Arunava Mukherjee,Adv.

In WP(C) 665/2016	Mr. V.K. Biju,AOR Ms. Ria Sachthey,Adv. Mr. Himanshu Singh Yadav,Adv. Ms. Nazia Ellahi Khan,Adv. Ms. Hema Sahu,Adv. Mr. Rakeesh Panicker,Adv. Mr. Abhay Pratap Singh,Adv. Mr. Subash Chandran,Adv. Ms. Ansu,Adv. Ms. Usha Nandini,Adv. Mr. Rajesh Payannoor,Adv. Mr. Nishad Livingston,Adv.
In WP(C) 43/2017	Mr. Mukesh Jain,AOR
Applicant	Ms. Farha Faiz,In-person
IA 6	Ms. Rukhsana Choudhary,AOR
For Respondent(s) :	
R8 in WP(C) 118	Mr. Kapil Sibal,Sr.Adv.
R3 in SMW(C) 2	Mr. Ejaz Maqbool,AOR Ms. Akriti Chaubey,Adv. Ms. Qurratulain,Adv. Mr. Zafar Khurshid,Adv. Ms. Sanchita Ain,Adv. Mr. Antony R. Julian,Adv. Ms. Azra Rehman,Adv. for M/s. Equity Lex Associates,AOR
R1 in SMW(C) 2 & R9 in WP(C) 118	Mr. Raju Ramachandran,Sr.Adv. Mr. Ejaz Maqbool,AOR Mr. Shahid Nadeem,Adv. Ms. Akriti Chaubey,Adv. Ms. Qurratulain,Adv. Ms. Mythili V.K. Thallam,Adv. Mr. Vikrani Aditya Narain,Adv. Mr. Ishwar Mohanty,Adv. Ms. H. Shanker,Adv. Mr. Purushottam Sharma Tripathi,Adv. Mr. Mihir Dev,Adv. Mr. Ravi Chandra Prakash,Adv. Ms. Radhika Saxena,Adv. Mr. Mukesh Kumar Singh,Adv. Mr. L. Nidhi Ram Sharma,Adv. Ms. Sushma Singh,Adv.

Jamiat Ulama Hind	Mr. V. Giri, Sr. Adv. Mr. Shakil Ahmed Syed, Adv. Mr. Mohd. Parvez Dabas, Adv. Mr. Milan Laskar, Adv. Mr. Nomanul Haq, Adv. Mr. Manav Vohra, Adv. Ms. Svadha Shankar, Adv. Mr. Uzmi Jameel Husain, Adv.
No.10 in WP(C) 118	Mr. Anand Grover, Sr. Adv. Mr. Waresha Farasat, Adv. Mr. Shadan Farasat, Adv. Ms. Tripti Tandon, Adv.
No.11 in WP(C) 118	Mr. Nitya Ramakrishna, Adv. Mr. Shadan Farasat, AOR Ms. Warisha Farasat, Adv. Mr. Imtiaz Ahmed, Adv. Ms. Naghma Imtiaz, Adv. Mr. Ahmed Zargham, Adv. Ms. Amra Moosavi, Adv. Dr. Harsh Pathak, Adv. For M/s Equity Lex Associates, AOR Ms. Abha R. Sharma, AOR
Intervenor	Mr. Mohd. Nizam Pasha, Adv. Mr. Gautam Talukdar, AOR Mr. Rajesh Inamdar, Adv.
NCW	Ms. Aparna Bhat, AOR Ms. Joshita Pai, Adv. Mr. Nikhelesh Ramachandran, AOR Dr. Sumant Bharadwaj, Adv. Mr. Aviral Saxena, Adv. Mr. Ajmal Khan, Adv. Ms. Mridula Ray Bharadwaj, AOR Mr. M.M. Kashyap, AOR
Intervenor	Mr. Anis Ahmed Khan, AOR Mr. Mohd. Naved Mian, Adv. Mr. Sandeep Garausa, Adv. Mr. Vishwa Pal Singh, AOR

R5 in WP(C) 118	Mr. Manoj Goel,Adv. Mr. Naman Kamboj,Adv. Mr. Wajeeh Shafiq,AOR Mr. Zulfiker Ali P.S.,AOR
R13 in SMW(C) 2	Mr. M.R. Shamshad,AOR Mr. Aditya Samaddar,Adv. Mr. Zaki Ahmad Khan,Adv. Mr. Joggy Scaria,AOR
R5 in WP(C) 288	Mr. Amit Dubey,Adv. Mr. Rajul Shrivastav,Adv. Mr. Rajneesh Chuni,Adv. Ms. D. Khanna,Adv. Mr. K. Krishna Kumar,AOR Mr. Preetam Shah,Adv. Mr. C. Rubavathi,Adv. Mr. B.S. Rajesh,Adv. Mr. Devesh Kr. Tripathi,Adv.
All India Muslim Women Personal Law Board	Ms. Babita Kumar,AOR Mr. Arun Kumar,Adv. Mr. Birendra Kumar Choudhary,Adv. Mr. Ajay Awasthi,Adv. Mr. Chirag Mr. Rajiv Kumar Sinha,Adv. For Mr. Nitin Kumar Thakur,AOR Mr. Md. Irshad Hanif,AOR Mr. Rajiv Kumar Sinha,Adv. Mr. Mohd. Adeel Siddiqui,Adv. Mr. Arif Ali,Adv. Mr. Neeraj Gupta,Adv. Mr. Muzahid Ahmed,Adv. Mr. E.C. Agrawala,AOR Mr. Arif Mohd. Khan,Adv. Mr. Aftab Ali Khan,Adv.
Impleading parties	Ms. Garima Bajaj,AOR Dr. Kailash Chand,AOR Mr. Gaurav Yadava,Adv.

Intervenor Mr. Debasis Misra, In-person

 Mr. O.P. Gaggar, AOR

 Mr. Ravindra Bana, AOR

 Ms. Rashmi Malhotra, AOR

 Ms. Liz Mathew, AOR

 Mr. R.P. Goyal, AOR

 Mr. V.K. Shukla, In person

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

Hon'ble the Chief Justice of India pronounced a Reportable judgment and Hon'ble Mr. Justice S. Abdul Nazeer concurred with the view taken by the Hon'ble the Chief justice of India. All the writ petitions are disposed of in terms of the signed reportable judgment

Hon'ble Mr. Justice Kurian Joseph expressed his opinion by pronouncing a separate reportable judgment.

Hon'ble Mr. Justice Rohinton Fali Nariman pronounced a separate reportable judgment and Hon'ble Mr. Justice Uday Umesh Lalit concurred with the view expressed by Hon'ble Mr. Justice Rohinton Fali Nariman.

In view of the different opinions recorded, by a majority of 3:2 the practice of 'talaq-e-biddat' - triple talaq is set aside, in terms of three signed reportable judgments.

(Sarita Purohit)
Court Master

(Renuka Sadana)
Assistant Registrar

(Signed three reportable judgments are placed on the file)