

ITEM NO.27

COURT NO.12

SECTION X

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Writ Petition(s) (Civil) No(s).1057/2018

PUSHPAM SINHA

Petitioner(s)

VERSUS

UNION OF INDIA

Respondent(s)

Date : 20-09-2018 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE UDAY UMESH LALIT

HON'BLE MR. JUSTICE MOHAN M. SHANTANAGOUDAR

For Petitioner(s)

Mr. Shekhar Naphade, Sr.Adv.

Mr. Fauzia Shakil, AOR

Ms. Shama Sinha, Adv.

Mr. Abhikalp Pratap Singh, Adv.

Mr. Siddharth Dharmadhikari, Adv.

For Respondent(s)

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

Mr. Shekhar Naphade, learned senior counsel appearing on behalf of the petitioner invited our attention to the judgment of this Court reported in (2017) 10 SCC 1 titled as K.S. Puttaswamy and Another versus Union of India and Others and relied, particularly, on paragraphs 249 and 298 of the judgment. In his submission, his client is entitled to be left alone and cannot be subjected to a decree for restitution of conjugal rights. He also relied upon provisions of Order XXI, Rule 32 and 33 of the Civil Procedure Code, to say that, in consequence to decree of restitution of conjugal rights, the properties can be attached in execution.

We have gone through the contents of the writ petition. As of now, a petition for restitution of conjugal rights has been filed by the husband of the petitioner.

In our considered view, the matter is purely pre-mature at this juncture. We, therefore, refuse to entertain this writ petition. The same is, accordingly, dismissed.

Pending applications, if any, shall also stand disposed of.

(SUKHBIR PAUL KAUR)  
AR CUM PS

(RAJ RANI NEGI)  
ASSISTANT REGISTRAR