

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

Petition(s) for Special Leave to Appeal (C) No(s).28670/2019

(Arising out of impugned final judgment and order dated 24-10-2019 in Writ-C No.41391/2012 passed by the High Court Of Judicature At Allahabad)

MANOJ SINGH @ MANOJ RAMPUKAR SINGH

Petitioner(s)

VERSUS

STATE OF UTTAR PRADESH & ORS.

Respondent(s)

(With appln.(s) for exemption from filing O.T. and permission to file additional documents/facts/annexures)

Date : 13-12-2019 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DEEPAK GUPTA

HON'BLE MR. JUSTICE ANIRUDDHA BOSE

For Petitioner(s) Mr. Soli J. Sorabjee, Sr. Adv.
Mr. Mukul Rohtagi, Sr. Adv.
Mr. Ashok Trivedi, Sr. Adv.
Mr. Raahul Trivedi, Adv.
Mr. Prabodh Kumar, AOR
Mr. Chetan Shandilya, Adv.
Ms. Palak Gupta, Adv.
Ms. Pallavi Sharma, Adv.
Ms. Jasmine Khurana, Adv.
Mr. Tarun Juyal, Adv.
Ms. Devanshi Singh, Adv.

For Respondent(s)

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

Delay condoned.

The High Court has rejected the petition filed by the petitioner for grant of security to him. By interim orders, some protection was given to him and this protection is to continue till 24.12.2019. The High Court rejected the petition only on the ground that eight years have elapsed since the filing of the petition and threat

perception may have changed. Neither the High Court nor this Court can actually decide what is the threat perception. That has to be decided by the Authority constituted by the State, which normally consists of senior officers of police and the administration. We, therefore, while upholding the order of the High Court direct that such body constituted by the State shall consider the threat perception to the petitioner on or before 15th January, 2020.

The petitioner is at liberty to submit a copy of this order to the Chief Secretary of the State of Uttar Pradesh, who shall ensure that the order is placed before the body constituted to determine such threat perception. We, further direct the body to assess the threat perception independently on its own merits uninfluenced by any observation of the High Court.

We further direct that even after the body determines the threat perception in case it lowers the category of the petitioner or removes him from the list of persons entitled to any security, the security shall continue for 15 days thereafter to enable him to approach the High Court.

The special leave petition is disposed of with the above observations. Pending applications shall also stand disposed of.

(Pradeep Kumar)
Branch Officer

(Sarita Purohit)
AR-cum-PS