

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). 1018/2025

SAURAV NARAYAN & ORS.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

Date : 03-11-2025 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE SURYA KANT
HON'BLE MR. JUSTICE UJJAL BHUYAN
HON'BLE MR. JUSTICE JOYMALYA BAGCHI

For Petitioner(s) : Dr. S. Muralidhar, Sr. Adv.
Mr. Md. Imran Ahmad, Adv.
Mr. R Jude Rohit, Adv.
Ms. Ninni Sujan Thomas, Adv.
Ms. Ariana D Ahluwalia, Adv.
Ms. Yashodhara Singh, Adv.
Mr. Amarjeet Gupta, Adv.
Ms. Perpeet Brar, Adv.
Ms. Vaishnavi, Adv.
Mr. Anil Kumar, AOR
Mr. Ashu Khan, Adv.

For Respondent(s) :

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

1. The petitioners have approached this Court through this Writ Petition, which has been purportedly filed in public interest. They essentially seek a writ of *mandamus* to direct the Union of India, impleaded through various Ministries, to implement reservation in services of such institutions/autonomous bodies/organisations, which are receiving grant-in-aid from the Government.

2. The petitioners' chief grievance is that it was through executive instructions dated 30.09.1974 that suitable action for providing reservation in autonomous organisations/bodies receiving grant in aid from the Government, was directed to be initiated.

The subsequent instructions, on 07.10.1974, provided that all Ministries/Departments will include a clause regarding requirement for all voluntary organisations seeking grant in aid to follow the reservation policy prescribed by the Government. These instructions form part of a compendium of instructions, which have been issued by the Department of Personnel and Training on 28.03.2024.

3. It seems that meanwhile, the issue was raised in the Parliament and based upon the deliberations that took place in the House, the petitioners sought information under the Right to Information Act, 2005. Unfortunately, the information so sought is apparently vague; as instead of seeking the details regarding any one organisation where grant in aid was received but no reservation was provided, the petitioners sought general and omnibus information from the authorities.

4. It seems that the authorities have replied to the queries posed by the petitioners in a similar manner in which the questions were formulated. Be that as it may, the petitioners have formally made a representation on 04.09.2025, wherein they have sought enforcement of the reservation policy in voluntary agencies, cooperative societies and such other organisations, who are receiving grant in aid from the Government of India. The same representation has apparently been addressed to various Ministries.

5. At the outset, we are constrained to observe that the petitioners have, without even giving reasonable time to the authorities for consideration of the aforementioned representation, have approached this Court through the instant Writ Petition.

6. Having heard learned senior counsel for the petitioners, it seems to us that the petitioners ought to have made a comprehensive representation with some definite information with respect to one or two organisations, may be perhaps on a 'pilot' basis. Based upon such information, they ought to have impressed upon the authorities to consider the entire issue.

7. It goes without saying that prescription of reservation in any particular organisation, conditionally or unconditionally, is the ultimate prerogative of the policy-maker/Legislature. As a necessary corollary, it may not be prudent for this Court to express any definite opinion in relation thereto.

8. We are informed that the petitioners, while filing the instant writ petition, have done some further exercise and have been able to collect some data, which may be relevant to properly highlight the instant issue.

9. Consequently, we deem it appropriate to dispose of this writ petition at this stage, without expressing any opinion on merits, with liberty to the petitioners to submit a comprehensive representation to all those authorities to whom the previous representation dated 04.09.2025 was addressed.

10. We have no reason to doubt that the authorities shall consider the representation in accordance with the Government Policy, if any.

11. With liberty aforementioned, the writ petition is disposed of with pending application(s), if any.

(NITIN TALREJA)
ASTT. REGISTRAR-cum-PS

(PREETHI T.C.)
ASSISTANT REGISTRAR