

IN THE SUPREME COURT OF INDIA  
CIVIL INHERENT/ORIGINAL JURISDICTION

REVIEW PETITION (CIVIL) No. 3358 OF 2018  
IN  
WRIT PETITION (CIVIL) No. 373 OF 2006

KANTARU RAJEEVARU

..... Petitioner

Versus

INDIAN YOUNG LAWYERS ASSOCIATION THR.  
ITS GENERAL SECRETARY MS. BHAKTI PASRIJA  
AND ORS.

... Respondents

WITH

SLP(C) No. 18889/2012, W.P.(C) No. 286/2017, R.P.(C) No. 3359/2018 in W.P.(C) No. 373/2006, Diary No. 37946-2018, R.P.(C) No. 3469/2018 in W.P.(C) No. 373/2006, Diary No. 38135-2018, Diary No. 38136-2018, R.P.(C) No. 3449/2018 in W.P.(C) No. 373/2006, W.P.(C) No. 1285/2018, R.P.(C) No. 3470/2018 in W.P.(C) No. 373/2006, R.P.(C) No. 3380/2018 in W.P.(C) No. 373/2006, R.P.(C) No. 3379/2018 in W.P.(C) No. 373/2006, R.P.(C) No. 3444/2018 in W.P.(C) No. 373/2006, R.P.(C) No. 3462/2018 in W.P.(C) No. 373/2006, Diary No. 38764-2018, Diary No. 38769-2018, Diary No. 38907-2018, R.P.(C) No. 3377/2018 in W.P.(C) No. 373/2006, Diary No. 39023-2018, Diary No. 39135-2018, Diary No. 39248-2018, Diary No. 39258-2018, Diary No. 39317-2018, W.P.(C) No. 1323/2018, W.P.(C) No. 1305/2018, Diary No. 39642-2018, R.P.(C) No. 3381/2018 in W.P.(C) No. 373/2006, Diary No. 40056-2018, Diary No. 40191-2018, Diary No. 40405-2018, Diary No. 40570-2018, Diary No. 40681-2018, Diary No. 40713-2018, Diary No. 40840-2018, Diary No. 40885-2018, Diary No. 40887-2018, Diary No. 40888-2018, Diary No. 40898-2018, R.P.(C) No. 3457/2018 in W.P.(C) No. 373/2006, Diary No. 40910-2018, Diary No. 40924-2018, Diary No. 40929-2018, Diary No. 41005-2018, Diary No. 41091-2018, W.P.(C) No. 1339/2018, Diary No. 41264-2018, R.P.(C) No. 3473/2018 in W.P.(C) No. 373/2006, Diary No. 41395-2018, Diary No. 41586-2018, R.P.(C) No. 3480/2018 in W.P.(C) No. 373/2006, Diary No. 41896-2018, Diary No. 42085-2018, Diary No. 42264-2018, Diary No. 42337-2018, MA 3113/2018 in W.P.(C) No. 373/2006, Diary No. 44021-2018, Diary No. 44991-2018, Diary No. 46720-2018, Diary No. 47720-2018, Diary No. 2252-2019, R.P.(C) No. 345/2019 in W.P.(C) No. 373/2006, Diary No. 2998-2019, W.P.(C) No. 472/2019

**ORDER**

We have heard the parties at length. For reasons to follow, we hold that this Court can refer questions of law to a larger bench in a Review Petition.

.....CJI.  
**[S.A. BOBDE]**

.....J.  
**[R. BANUMATHI]**

.....J.  
**[ASHOK BHUSHAN]**

.....J.  
**[L. NAGESWARA RAO]**

.....J.  
**[MOHAN M. SHANTANAGOUDAR]**

.....J.  
**[S. ABDUL NAZEER]**

.....J.  
**[R. SUBHASH REDDY]**

.....J.  
**[B.R. GAVAI]**

.....J.  
**[SURYA KANT]**

NEW DELHI  
FEBRUARY 10, 2020

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**ORDER**

The following issues are framed for consideration by this Court: -

1. What is the scope and ambit of right to freedom of religion under Article 25 of the Constitution of India?
2. What is the inter-play between the rights of persons under Article 25 of the Constitution of India and rights of religious denomination under Article 26 of the Constitution of India?
3. Whether the rights of a religious denomination under Article 26 of the Constitution of India are subject to other provisions of Part III of the Constitution of India apart from public order, morality and health?
4. What is the scope and extent of the word 'morality' under Articles 25 and 26 of the Constitution of India and whether it is meant to include Constitutional morality?
5. What is the scope and extent of judicial review with regard to a religious practice as referred to in Article 25 of the Constitution of India?
6. What is the meaning of expression "Sections of Hindus" occurring in Article 25 (2) (b) of the Constitution of India?
7. Whether a person not belonging to a religious denomination or religious group can question a practice of that religious denomination or religious group by filing a PIL?

.....CJI  
**[S.A. BOBDE]**

.....J.  
**[R. BANUMATHI]**

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**[ASHOK BHUSHAN]**

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**[MOHAN M. SHANTANAGOUDAR]**

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