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A Supreme Court bench headed by CJI SA Bobde is hearing a PIL seeking the direction for the Ministry of Home Affairs, Law and Justice and Women and Child Development to make all the personal laws uniform.

Senior Adv. Pinky Anand is appearing for the Petitioners followed by Meenakshi Arora.
The plea seeks the removal of personal laws as they are discriminatory under Art. 14,15 and other provisions of International Covenants.

CJI: You want the abolishment of Personal Laws?
Pinky Anand: No
CJI: You are not saying it doesn't mean that's not the reality.

"You are asking us to encroach upon personal laws and remove the distinction that they create." CJI said.

Pinky Anand refers to the cases of Shayara Bano and Sarala Mudgal to argue that Courts on earlier occasions have struck down laws and gave directions for practices found to be unconstitutional.

"In Sarla Mudgal case the Govt. was asked to step in the case of Uniform Civil Code." she argued.

CJI: Government is the pulse of people. They can do so. How can we as a Court encroach on personal laws?

Pinky Anand: The prayer is to remove discriminatory practices qua religion, qua practices which infringe Fundamental Rights.

"Exactly same thing was done in Shayara Bano case, " she continued

CJI: Did we say in Shayara Bano that the grounds of divorce be same? What was the discriminatory provision?

"Triple Talaq was found to be non existent as it was an old practice. Also, in that case Parliament passed a legislation. " CJI continued

Anand: This court on earlier occasions has passed directions in cases where no prior law was made. Same happened in Sarla Mudgal. That is what we are praying.

Meenakshi Arora: This is a larger issue. Religious practices are one thing. But constitutional rights are another.

"When religious practices directly infringe the Fundamental Rights, they cannot be said to be protected." she argued.

The bench while issuing notice in the case remarked "We are issuing notice with great caution. "