

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). 770/2026

SARIKA TYAGI & ORS.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

Date : 17-07-2026 This petition was called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE JOYMALYA BAGCHI
HON'BLE MRS. JUSTICE V. MOHANA

For Petitioner(s) : Dr. Monika Gusain, Sr. Adv.
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Mr. C. Solomon, AOR
Petitioners-in-person

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Ms. Sugandha Anand, AOR

Mr. Kamal Balkrishna Trivedi, AG
Mr. Swapneel Sejjpal, Adv.
Ms. Swati Ghildiyal, AOR
Ms. Sonakshi Sinha, Adv.

UPON hearing the counsel the Court made the following

O R D E R

1. On oral prayer of the learned ASG, respondent No.1 is deleted from the array of parties. Respondent No. 2 stands renamed as 'Union of India, through Principal Secretary, Ministry of Law and Justice, 4th Floor, A-Wing, Shastri Bhawan, New Delhi-110001'.
2. I.A. No.197568/2026 (application for impleadment) is allowed. The applicants are permitted to be impleaded as party petitioners.
3. In deference to our order dated 19.06.2026, learned Attorney General for India along with all the States/Union Territories through their Advocates General and Standing Counsel have entered appearance.

4. Multiple issues of paramount public interest have been deliberated in the course of the hearing.

5. One of the prayers made through the instant petition is the creation and operationalisation of a corpus of funds for financial assistance to the young advocates in the initial years of their practice. The Learned Attorney General for India has volunteered to convene a meeting of all the Advocates General and standing counsel for States and Union Territories to discuss the modalities for creation of the said corpus. We have no reason to doubt that all the States will come forward and volunteer to provide a mechanism through which substantial contribution to the proposed corpus can be made. We, therefore, request the learned Attorney General for India to convene the meeting at the earliest, at his convenience, and apprise this Court of its outcome.

6. The other principal prayer concerns the absence of adequate washroom and sanitation facilities for women advocates in courts across the country.

7. Access to basic health necessities is an essential part of the right to life, a principle which has, time and again, been the foundation of judicial pronouncements by this Court. That being so, it is indisputable that access to a washroom amounts to an inalienable and universal fundamental right traceable to Article 21 of the Constitution, especially the right to live a healthy and dignified life.

8. The claim for ensuring such right, furthermore, assumes a deeper shade when it comes to the circumstances highlighted in the instant petition, namely, the pitiful condition of washrooms

available for women in public judicial buildings, such as High Courts, District Courts, and Sub-Divisional Courts across India. It has been pointed out that in some places, there is no washroom for women whatsoever in the public areas of the court premises. In other cases, although a room designated as "women's washroom" exists, the same is not adequately fitted, does not have running water, or is kept in a sanitary condition. The women members of the bar are, thereby, forced to walk long distances, across multiple buildings, to find a usable washroom, if any available in the first place.

9. That the circumstances are such, in our opinion, is a travesty of justice. The lack of sanitary facilities for women lawyers is *prima facie* discriminatory and violative of Articles 14 and 15. Moreover, when many young female lawyers are looking to learn and grow in the profession, the absence of such basic human facilities creates an insurmountable hurdle for their entry and continuation in the profession, raising graver concerns regarding the freedom to practice the profession under Article 19(1)(g). In our considered opinion, no institutional efforts to improve participation of women lawyers in the profession, especially in the Courts, will bear any fruit until it is ensured that women can work in courtrooms in a healthy and dignified manner. There is no gainsaying that such duty of the State is constitutionally acknowledged under Article 42.

10. With these tenets in mind, we have requested all the Advocates General to obtain a fact-finding report with respect to the existence and state of such infrastructure for lady members of the bar in High Courts, District Courts, as well as Taluka Courts. They

shall do the needful within two weeks.

11. Thereafter, a proposal shall be put up before the State Government for allocation of special funds to construct washrooms and ensure accompanying water and sanitation facilities. It shall be the responsibility of the Public Works Departments in all the States/Union Territories to commence the construction of washrooms with requisite facilities, wherever the same is not available, within four weeks from the date of submission of the reports by the learned Advocates General to the State Government.

12. We make it abundantly clear that non-availability of funds will not be accepted as any level of justification for delay in initiation of the work. This is especially so, given that the denial of basic amenities, like washrooms, running water, and sanitary conditions, has been consistently held by this Court to be a failure of the right to a dignified life, which is, indeed, a basic human right as well.

13. A status report by each State Government/Union Territory shall be filed within a period of six weeks, highlighting the information received as well as steps taken to construct the washrooms.

14. This Court shall not entertain any request for leniency in the time schedule prescribed hereinabove, and every State Government shall be obligated to do the needful within the stipulated period.

15. List for compliance and further orders on 11.09.2026.

(NITIN TALREJA)
ASTT. REGISTRAR-cum-PS

(PREETHI DILEEP KUMAR)
DY. REGISTRAR