

## **Chief Justice's Court**

**Case :-** PUBLIC INTEREST LITIGATION (PIL) No. - 15895 of 2015

**Petitioner :-** In Re

**Respondent :-** Zila Adhivakta Sangh Allahabad

**Counsel for Petitioner :-** Anshu Singh, Arun Kumar, Dinesh Kumar Misra, Hare Krishna Mishra, Mir Sayed, Nitin Gupta, Pradeep Kumar Tiwari, Pranshu Kumar

**Counsel for Respondent :-** A.K. Bajpai, Ajai Shankar Pathak, Anupam Kumar, Ashutosh Dwivedi, Ayub Khan, C S C, C.P. Upadhyay, Chandra Kumar Singh, D.K. Tiwari, Daya Shankar Mishra, Diwakar Rai Sharma, H.N. Singh, Hemendra Pratap Singh, Jyotish Awasthi In Person, Mohd. Asif, Mohit Bihari Mathur, Mumtaz Ahmad Siddiqui, P.K. Jain, Pranesh Dutt Tripathi, R.D. Sahi, R.K. Singh, Rakesh Pandey, Ratnakar Upadhyay, Ritesh Srivastava, S.C. Mishra, Sanjay Mishra, Sanjay Singh, Sanjiv Kumar Pandey, Santosh Kumar Pandey, Santosh Kumar Tripathi, Shishupal Sharma, Siddharth Nandan, Sudhir Dixit, Suresh Chandra Pandey, Swetashwa Agrawal, Tahir Husain, V.C. Srivastava, Vineet Kumar Singh

**Hon'ble Munishwar Nath Bhandari, Acting Chief Justice**

**Hon'ble Pritinker Diwaker, J.**

**Hon'ble Naheed Ara Moonis, J.**

**Hon'ble Manoj Misra, J.**

**Hon'ble Mrs. Sunita Agarwal, J.**

**Hon'ble Surya Prakash Kesarwani, J.**

**Hon'ble Manoj Kumar Gupta, J.**

This Court passed a detailed order on 10th May, 2019 where certain directions were given with schedule for certain directions related to High Court and Subordinate Courts. The State Government was required to respond to the directions. They were required to submit the progress report periodically.

The matter was ordered to be listed again on 12th July, 2019 but in absence of the constitution of Bench, matter could not be taken up on the next date fixed by the Court.

The gap is almost of two years in listing the case. The Court was expecting that all the directions given on 10th May, 2019 must have been complied with, along with submission of reports periodically. The State Government has failed to submit periodical report as per the directions. It is not that action has not been taken by the Government but are not in full satisfaction rather much is required to be done.

The High Court has prepared a status report in reference to all the issues on which action was required to be taken. The status report should have been prepared by the State Government with schedule for compliance of the directions. To avoid delay, the High Court has supplied a copy of the statement containing not only the issue but latest status. It would facilitate the State Government for immediate action for compliance of the directions. It is required in the larger interest of the judicial functioning for the benefit of the litigants.

We find certain Courts/Tribunals have been created but staff, accommodation or the infrastructure for smooth functioning of it has not been provided. Mere creation of the Courts and Tribunals would not suffice the purpose unless accommodation with proper infrastructure and staff is provided. The statement prepared by the High Court shows requirement of immediate action on safety measures of the Courts and creation of the posts of support staff for smooth functioning of the High Court as well of the Subordinate Courts. The creating of post is required looking to the increase of the Courts and Tribunals. The matter is pending with the State Government for last more than two years. In absence of support staff, infrastructure and

other amenities, the judicial work of the Subordinate Courts is affected. The required accommodation for the Court and residence for the Judicial Officers has not been provided.

All the issues have been narrated in the statement for immediate action by the State Government thus, we direct the learned Additional Advocate General to submit response to it by way of an affidavit before the next date of listing. It would be covering all the issues which have been narrated in the statement with latest status and schedule for compliance.

The State Government would comply the directions at the earliest for smooth functioning of the Courts in the State of U.P. and in the meanwhile they will come out with an appropriate decision to provide suitable accommodation for Court functioning and residential accommodation to the Judicial Officers in the districts where it does not exist. It is by evolving such mechanism which may not put or cause any difficulty to the Judicial Officers in getting the accommodation for which Mr. Manish Goyal, learned Additional Advocate General was explained during the course of hearing.

Accordingly, we direct for submission of the report as directed above and let this batch of writ petitions be listed on 1st September, 2021 at 10.00 am, as prayed by the learned Additional Advocate General.

On the next date, the concerned officers would also remain present along with the record so that issues may take a concrete shape for smooth functioning of the Judicial Courts which is severely affected at present. The presence of the concerned officers would avoid further delay in it. It is otherwise required for ultimate benefit of the litigants.

The learned Additional Advocate General would convey the order to the concerned officers for their presence along with the record.

**Order Date :- 12.8.2021**  
VMA

**(Munishwar Nath Bhandari, A.C.J.)**

**(Pritinker Diwaker, J.)**

**(Naheed Ara Moonis, J.)**

**(Manoj Misra, J.)**

**(Sunita Agarwal, J.)**

**(Surya Prakash Kesarwani, J.)**

**(Manoj Kumar Gupta, J.)**