



2026:AHC-LKO:40004-DB

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

PUBLIC INTEREST LITIGATION (PIL) No. - 558 of 2026

Shiv Gupta

.....Petitioner(s)

Versus

U.O.I. Thru. The Secy. Ministry Of Defence,Dhq Po,
New Delhi And 2 Others

.....Respondent(s)

Counsel for Petitioner(s)	: Pramod Kumar Bajaj, Anas Ahmad, Anupam Verma
Counsel for Respondent(s)	: A.S.G.I., Sanjeev Singh

Court No. - 2

HON'BLE SHEKHAR B. SARAF, J.

HON'BLE ABDHESH KUMAR CHAUDHARY, J.

1. Heard learned counsel for the petitioner, Shri S.B. Pandey, learned Senior Advocate & DSGI assisted by Shri Anand Dwivedi, learned counsel appearing on behalf of Union of India and Sri Sanjeev Singh, learned counsel for the Cantonment Board.

2. This is a writ petition under Article 226 of the Constitution of India, wherein the writ petitioner has sought for the following substantial reliefs:-

" i. to issue Writ order or direction in nature of mandamus directing respondents to properly maintain and run the Shamshan Bhumi named as Pipra Ghat Funeral ground.

ii. to issue Writ order or direction in nature of mandamus directing Respondent No. 02 to ensure a properly functional funeral ground so that every human being gets a respectable send off from this world or a graceful last rites after his/her demise.

iii. to issue Writ order or direction in nature of mandamus directing respondents to provide sewage lines in the civil areas of Lucknow cantonment in a time bound manner in near future. "

3. Sri Sanjeev Singh, learned counsel for the Cantonment Board has submitted that a proposal has been sanctioned for the construction of a modern crematorium and the authorities are in the process of floating a tender in this regard.

4. In light of the same, we direct the respondent no. 2/ the authority concerned to act expeditiously in this matter and ensure that the tender is

floated immediately, preferably, within a period of four weeks from the date.

5. Learned counsel for the petitioner has submitted that, apart from the proposal being floated by the respondent no.2/authority concerned, there is urgent need for drinking water facilities, washrooms and repair of the boundary wall, highlighting that a right to a decent and dignified cremation is a Fundamental Right guaranteed under Article 21 of our Constitution. He further submits that in the absence of a proper boundary wall of the crematorium, stray animals like monkeys, dogs and cows etc. enter and loiter inside the crematorium and make it dirty with excreta and shockingly sometimes human remains of dead bodies are licked and/or strewn around, after relatives of deceased persons leave the funeral ground with funeral fire still burning.

6. The issue raised by the petitioner in the present petition is serious and requires urgent remedial measure. Accordingly, the authority concerned is directed to look into these matters immediately and carry out the repair and renovation work keeping in view that the right to live with human dignity extends beyond death ensuring every deceased individual is given a respectful funeral and due honour even during its cremation. ***(Please see: Ashray Adhikar Abhiyan Vs. UOI; AIR 2002 SC 554)***

7. The authority concerned is further directed to ensure the availability of drinking water facilities immediately at the crematorium that is presently functioning.

8. With the above directions, the writ petition is **disposed of**.

.

(Abdhesh Kumar Chaudhary,J.) (Shekhar B. Saraf,J.)

June 3, 2026
Anuj Singh