



**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

CRIMINAL WRIT-PUBLIC INTEREST LITIGATION No. - 4 of 2026

Anuradha Singh and others

.....Petitioner(s)

Versus

State of U.P. Thru. Prin. Secy. Home Lko and others

.....Respondent(s)

Along with :

1. Public Interest Litigation (PIL) No. 1086 of 2025:

Anis Ahmad Shah

Versus

U.O.I. Thru. Secy. Ministry of Communication New Delhi and 9 others

Counsel for Petitioner(s)	: Bal Keshwar Srivastava, Ishita Srivastava, Kuldeep Verma, Mohd. Waris Farooqui, Shailendra Nath Shukla, Suresh Chandra Shukla, Umesh Singh, Vijai Shankar Tripathi
Counsel for Respondent(s)	: A.S.G.I., Adesh Kumar, Ajaay Kumar Singh, Aniket Srivastav, Bal Keshwar Srivastava, C.S.C., Divyarth Singh Chauhan, G.A., Jyotiresh Pandey, Mrs.suniti Sachan, Namit Sharma, Pratul Kumar Srivastava, Ratnesh Chandra, Ravindra Nath Singh, Sarvesh Kumar Pandey, Shailendra Singh Chauhan, Shubham Gupta, Suresh Chandra Shukla, Susheel Kumar, Upendra Kumar Sagar, Vikalp Shukla

Court No. - 9

**HON'BLE RAJESH SINGH CHAUHAN, J.
HON'BLE RAJEEV BHARTI, J.**

1. Heard learned counsel for the parties in both the writ petitions.
2. In compliance of the order dated 21.08.2026 passed by Hon'ble the Chief Justice, the paper-book of Public Interest Litigation (PIL) No.1086 of 2025 has been connected with Criminal Writ- Public Interest Litigation No.4 of 2026.

3. With the consent of the parties of both the writ petitions, common order is being passed in both the writ petitions.

4. In Public Interest Litigation (PIL) No.1086 of 2025, Sri Shailendra Singh Chauhan has appeared on behalf of Nagar Nigam, Lucknow, Sri Ajay Kumar Singh has appeared on behalf of Lucknow Development Authority, Lucknow, for Union of India/ opposite party no.1, notice has been accepted by Sri Anand Dwivedi, Sri Pratul Kumar Srivastava has appeared on behalf of the BSNL and for the State- opposite parties, learned Standing Counsel has appeared.

5. Main prayer of Public Interest Litigation (PIL) No.1086 of 2025 is as under:-

"i. issue a writ, order or direction in the nature of mandamus, commanding the opp-parties, particularly the opp-parties nos.3, 4 and 6 respectively to ensure removal of the illegal encroachment from the Eastern boundary-wall/land of the Telephone Exchange Building, Kaiserbagh, Lucknow, belonging to the Bharat Sanchar Nigam Limited, which has been erected by the illegal and unlawful encroachers, keeping in mind the safety and security of the Nation, within a timeframe as stipulated by this Hon'ble Court."

6. So far as the aforesaid prayer is concerned, Sri Shailendra Singh Chauhan has drawn attention of this Court towards our order dated 07.04.2026 wherein vide para-9, we have directed to all the concerning authorities to do the needful for removing the illegal encroachments from the entire area nearby District & Sessions Court, Lucknow. For the convenience, para-9 of the order dated 07.04.2026 is being reproduced herein below with underline:-

"9. Considering the relevant facts and circumstances of the issue in question, particularly the fact that on account of illegal encroachment on the public pathway, the public at large of the area of District and Sessions Court Lucknow including Old High Court Campus, Collectorate Lucknow, Board of Revenue, Old Sadar Tehsil Campus, Sub Registrar Office, Commissionerate, Lucknow, Residency Power Sub Station, Balrampur Hospital and Qaiserbagh Bus Station, Transport Deptt.

Workshop (Tehri Kothi) has been suffering a lot, we hereby treat this criminal writ petition as Public Interest Litigation (Criminal) in the larger interest of public at large. Registry is directed to do the needful."

7. Sri Chauhan has stated that if direction in terms of para-9 of the order dated 07.04.2026 is issued, the controversy of second writ petition would be adjudicated. Sri Chauhan has also produced a letter dated 08.09.2026 preferred by the Zonal Officer, Zone-1, Nagar Nigam, Lucknow addressing to the Chief Standing Counsel of this Court indicating therein that in terms of earlier order of this Court, the illegal encroachments have been removed. Earlier 14 illegal constructions were removed and subsequently, 57 illegal encroachments have been removed. The coloured photographs have also been enclosed with the instructions. The instructions are taken on record. Sri Chauhan has clarified that the aforesaid illegal constructions have been removed in compliance of the order dated 04.08.2026. He has also informed that before the order dated 04.08.2026 having been passed, other illegal encroachments from Swasthya Bhawan Crossing upto Collectorate Crossing, Bus Stand Crossing, Chakbast Crossing have been removed. So as to clarify his contention, Sri Chauhan has stated that only such illegal constructions have not been removed, which is subject matter of the second writ petition and other surrounding area in terms of para-9 of the order dated 07.04.2026.

8. Be that as it may, at this stage, it is clarified that the entire illegal encroachments in terms of para-9 of the order dated 07.04.2026 shall be removed and the same precautions shall be taken by the competent authority, which have been indicated in our order dated 04.08.2026. In paragraphs no.8 & 9 of the order dated 04.08.2026, such steps and precautions have been indicated, therefore, paragraphs no.8 & 9 of the order dated 04.08.2026 are being reproduced herein below:-

"8. Having considered the aforesaid submissions of learned counsel for the parties, though remaining 72 encroachers are fully aware about the fact that those chambers/ shops being illegal and unauthorized would be demolished but as an abundant precaution, we find it appropriate that all those encroachers may be given one more opportunity either to vacate those

chambers/ shops or to apprise the competent authority about their valid claim to hold such chambers/ shops, failing which the illegal encroachments would be demolished. Therefore, Sri Shailendra Singh Chauhan may instruct the competent authority of the Municipal Corporation, Lucknow to serve a fresh notice to all 72 encroachers in writing within a week from today and if they do not receive such notices, the same may be pasted on the encroachment area and the publication thereof may be taken place in two daily newspapers (one in Hindi, one in English), by providing them at least ten days' time to do the needful. If the illegal encroachers do not vacate the encroachment area and fail to explain their bonafide, particularly their valid claim to hold the chambers/ shops, those chambers/ shops may be demolished. Such exercise may take place on Sunday so that the judicial work could not be hampered or disturbed. The specific date of demolition may be apprised to those encroachers so that they could cooperate in such demolition drive. It is made clear that if on the date of demolition, any encroachers or their associates adopt any illegal device or involve in any illegal activity, the needful action may be taken against them, which is permissible under the law.

9. The Commissioner of Police, Lucknow, the District Magistrate, Lucknow and the Municipal Commissioner, Lucknow shall coordinate regarding the necessary steps, which are to be taken. The appropriate administrative and police support shall be provided to the officers/ officials of the Municipal Corporation and all concerning authorities shall ensure that no law and order situation is created."

9. However, it is clarified that the aforesaid precautions are based on the principles of natural justice, so before removing such illegal constructions in terms of para-9 of the order dated 07.04.2026, notices would be served to the concerning persons and if those persons do not receive the notice, necessary steps may be taken in terms of para-8 of the order dated 04.08.2026 and the concerning authorities of Lucknow shall provide necessary assistance to the authorities of Nagar Nigam, Lucknow in terms of para-9 of the order dated 04.08.2026.

10. All the concerning authorities are directed to take appropriate steps in compliance of this order, with expedition, preferably within a period of

five weeks.

11. So far as the first writ petition is concerned, Sri S.P. Singh, learned AGA, has filed instructions letter dated 10.09.2026 of the Assistant Commissioner of Police, Kakori, Lucknow, the same is taken on record. As per the aforesaid instructions, though the charge sheet was prepared but the competent authority has directed for further investigation. Sri S.P. Singh has stated that as and when the further investigation is completed, information to that effect would be provided to the Court.

12. It is expected that on the next date, outcome of further investigation would be apprised to the Court. It is also needless to say that the parties shall cooperate in the investigation properly.

13. List the case on 26th October, 2026 at 03:30 P.M. after taking appropriate order from Hon'ble the Chief Justice to constitute the Bench.

14. The protection so given to the Advocates in terms of para-10 of the order dated 04.08.2026 shall continue till the next date of listing.

(Rajeev Bharti,J.) (Rajesh Singh Chauhan,J.)

September 10, 2026

RBS/-