

**Court No. - 3**

**Case :-** WRIT - C No. - 4493 of 2022

**Petitioner :-** Lal Bihari Yadav

**Respondent :-** Chairman/Sabhapati U.P. Legislative Council  
Vidhan Bhawan Lko And Another

**Counsel for Petitioner :-** Krishan Kanhaya Pal,Pooja Pal

**Hon'ble Attau Rahman Masoodi,J.**

**Hon'ble Narendra Kumar Johari,J.**

Heard Shri Mohd. Arif Khan, Senior Advocate assisted by Shri K.K. Pal for the petitioner.

The petitioner was recognized as leader of opposition by notification dated 27th May, 2022, in the U.P. Legislative Council where total strength of members is 100. The Samajwadi Party membership in the U.P. Legislative Council has got reduced from 11 to 9. At this stage, when the strength of the members of Samajwadi Party in the U.P. Legislative Council is 09, the petitioner has come to be de-recognized as the Leader of Opposition. The question for our consideration is as to whether when the strength of largest opposition party in the legislative council is below the quorum of 10 as per Rule 234 of the Procedure & Practice Rules, 1956; does law mandate for recognition of leader of opposition?

Let the position be clarified by the petitioner.

Shri Lalit Shukla, learned counsel who has put in appearance on behalf of opposite parties prays for a day's time to clarify the position.

List the case day-after-tomorrow, i.e. on 20.07.2022, as fresh.

**Order Date :-** 18.7.2022

ML/-