

ITEM NO.17 Court 4 (Video Conferencing) SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Writ Petition(s) (Civil) No(s). 842/2021

MANAV VIKAS SEWA SANSTHAN LUCKNOW Petitioner(s)

VERSUS

THE STATE OF UTTAR PRADESH & ORS. Respondent(s)

(FOR ADMISSION and IA No.91540/2021-EXEMPTION FROM FILING O.T. and
IA No.91542/2021-EXEMPTION FROM FILING AFFIDAVIT)

Date : 05-08-2021 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.M. KHANWILKAR
HON'BLE MR. JUSTICE SANJIV KHANNA

For Petitioner(s)

Mr. Shariq Ahmed, Adv.
Mr. Tariq Ahmed, Adv.
Mr. Sunil Kumar Verma, AOR

For Respondent(s)

Mr. Ajay Kumar Singh, Adv.

Mr. Raghvendra Singh, Sr. Adv.
Mr. Harish Pandey, AOR

Mr. Sanjay Kumar Tyagi, Adv.

UPON hearing the counsel the Court made the following
O R D E R

At 12:00 noon

The petitioner is permitted to serve advance copy of this petition on the Standing Counsel for the State of Uttar Pradesh and inform the respondents/Standing Counsel for the concerned respondents that the matter will be taken up at 2:00 p.m. today itself in view of urgency.

At 2:30 p.m.

This petition, in our opinion, is completely ill-advised and an afterthought.

It has been filed and moved one day before the scheduled commencement of B.Ed. examinations i.e., from tomorrow (06.08.2021), that is when all arrangements have been made by the State/Board in that regard including to abide by Covid protocols/SOPs specified by the competent authority, wherein more than five (5) lakh students have been registered and would be appearing.

It is rightly pointed out by the learned counsel for the State that the petitioner has approached this Court at the eleventh hour, despite being fully aware of the fact that the examination is being conducted by the Board/State, *inter alia*, in compliance of the directions given by this Court vide order dated 26.08.2020 and 28.06.2021 passed in C.A. No. 8300 of 2016. In other words, it is an attempt to overreach the order of this Court. We say no more.

As aforesaid, we disapprove the manner in which this petition has been moved at the eleventh hour. It is a

case of mis-adventure, if not a mischievous petition filed in the garb of public interest litigation.

Accordingly, we dismiss this petition with exemplary cost quantified at Rs. 50,000/- (Rupees Fifty Thousand Only) to be deposited in the Registry of this Court within two weeks from today. That be made over to the Supreme Court Legal Services Committee.

If the amount is not deposited within two weeks, it shall be recovered by the Collector, District Lucknow from the petitioners as arrears of land revenue within four weeks thereafter, who will submit compliance report in that behalf.

Accordingly, this writ petition is dismissed. All pending applications are also disposed of.

Copy of this order be forwarded to the Collector, District Lucknow by email for information and necessary action.

(DEEPAK SINGH)
COURT MASTER (SH)

(VIDYA NEGI)
COURT MASTER (NSH)