

Chief Justice's Court

Case :- PUBLIC INTEREST LITIGATION (PIL) No. - 798 of 2021

Petitioner :- In Re - Postponement Of U.P. Panchayat Election 2021

Respondent :- State of U.P.

Counsel for Petitioner :- Amit Kumar Upadhyay, Saumya Anand Dubey

Counsel for Respondent :- C.S.C.

Hon'ble Govind Mathur, Chief Justice

Hon'ble Saurabh Shyam Shamsbery, J.

This petition for writ said to be in public interest is preferred to have a direction for the State of Uttar Pradesh to postpone the Uttar Pradesh Panchayat Election scheduled from 15th April, 2021. As per the petitioner, looking to the massive surge in Corona Virus infection in different parts of the State, it would be against the public interest to hold panchayat elections in rural areas. According to the petitioner, the elections would be causing enormous injury to the health of public at large and that would be in contravention to Article 21 of the Constitution of India.

We do not find any merit in the argument advanced. The State while notifying elections in panchayat raj institutions has already declared a protocol to be adhered during the election campaign of the elections. This Court has also issued certain directions in Public Interest Litigation (PIL) No. 574 of 2020 (In-Re Inhuman Condition At Quarantine Centres And For Providing Better Treatment To Corona Positive Vs. State of U.P.) for the State Government to follow during the entire process of elections. All necessary care as such shall be taken by the State to prevent spread of infection during the course of panchayat raj elections.

The writ petition hence is dismissed.

Order Date :- 7.4.2021

VMA

(Saurabh Shyam Shamsbery, J.) (Govind Mathur, C.J.)