

Neutral Citation No. - 2024:AHC:144840

Court No. - 74

Case :- WRIT - B No. - 2933 of 2023

Petitioner :- Mohd. Pervej And 2 Others

Respondent :- State Of U.P. And 6 Others

Counsel for Petitioner :- Arun Kumar Singh, Shyam Sunder Tripathi

Counsel for Respondent :- C.S.C., Shamim Ahmad Ansari

Hon'ble Saurabh Shyam Shamsbery, J.

1. It is very unfortunate that the petitioners herein have subsequently engaged Sri Arun Kumar Singh, Advocate who has filed a Vakalatnama on basis of affidavit given by petitioners where in paragraph no.2 it has been stated "That the petitioners are not satisfied to the work of their earlier counsel and they approached to obtain No Objection to their earlier counsel, but he refused to do the same, therefore, the deponent is filing present affidavit and engaged present counsel".

2. Sri Shyam Sunder Tripathi, Advocate who has filed writ petition, has appeared before this Court on behalf of petitioners and argued for sometime also. He has categorically stated that petitioners have never approached him neither asked to return the brief nor to grant NOC. Subsequently engaged Advocate has also not inquired from him about above allegations. He has

seriously objected to contents of above referred paragraph.

3. Subsequently engaged Advocate Sri Arun Kumar Singh, is not present.

4. In aforesaid circumstances, Court is of considered opinion that conduct of petitioners is not bonafide and they have made incorrect statement on oath. Scanned copy of affidavit enclosed along with subsequent Vakalatnama filed by Sri Arun Kumar Singh, Advocate is pasted hereinafter -:

HIGH COURT OF JUDICATURE AT ALLAHABAD	
Advocate Roll No. : A/10612	MUHAMMAD PERVEJ
Name :	MUHAMMAD PERVEJ
Father's/Husband Name :	MUHAMMAD
Address :	VILLAGE ULMAPUR POST BELMA SAGRI AZAMGARH U.P.
Adhar-card No. :	2431 1291 3020
Date/Time :	
VERIFICATION PHOTO	
Co.No.-B2186622-111	

HIGH COURT OF JUDICATURE AT ALLAHABAD

AFFIDAVIT
IN
VAKALATNAMA
ON BEHALF OF PETITIONERS
IN
CIVIL MISC. WRIT PETITION NO. 2933 OF 2023
(Under Article 226 of the Constitution of India)
DISTRICT: AZAMGARH

1. Mohd. Pervej
2. Mohd. Javed
3. Mehd. Firoj
All sons of Late Sri Mehd. Mujamil
All R/o Village Ulmapur, Tappa Belma, Pargana and Tehsil Sagari, District Azamgarh.
.....Petitioners

PRESENTED TODAY
Muhamad Pervej
09 MAY 2024

Versus

1. State of U.P. through Principal Secretary, Revenue, Lucknow.
2. Deputy Director of Consolidation, Azamgarh.
3. Ashfaq Ahmad
4. Ishtiaq Ahmad
Both Sons of Mehd. Islam
5. Aftab Alam
6. Sadab Alam
7. Mahtab Alam
All sons of late Israr Ahmad
All r/o Ulmapur, Tappa Belma, Pargana and Tehsil Sagari, District Azamgarh.
..... Respondents



L.T.S. Pervej 

Affidavit of Mu. Parvej, aged about 38 years, Son of Late Mohd. Mujamil, resident of Village Olmapur, P.O. Berma, Tehsil Sagri, District Azamgarh, **Religion Muslim, Occupation Agriculture.**
Adhar No. 2431 1291 3020.

(Deponent)

I, the deponent above named do hereby solemnly affirm and state on oath as under:

1. That the deponent is petitioner no. 1 and brother of other petitioners in the above noted case, and as such he is fully acquainted with the facts deposed to below: The deponent attached his Aadhar Card for ID proof along with this Affidavit.
2. That the petitioners are not satisfied to the work of their earlier counsel and they approached to obtain No Objection to their earlier counsel, but he refused to do the same therefore the deponent is being filed present Affidavit and engaged present counsel.
3. That in view of the facts and circumstances stated above, it is expedient in the interest of



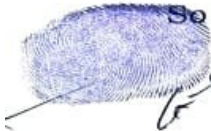
L.T.J.
B.K.K.



justice that this Hon'ble Court may graciously be pleased to accept the Vakalatnama of the present counsel for the petitioners and doing pairvi on their behalf in the aforesaid case.

I, the deponent above named, do hereby swear and affirm that the contents of paragraph nos. 1 and 2 of this affidavit are true to my personal knowledge and that the contents of paragraph nos. Nil of this affidavit are based on perusal of record; that the contents of paragraph nos. Nil of this affidavit are based on information received; and that the contents of paragraph no. 3 of this affidavit are based on legal advice; which all I believe to be true; that no part of it is false; and nothing material has been concealed.

So help me God.



L.T.S.L
Raj

(Deponent)

I, **Arun Kumar Singh, Advocate**, High Court, Allahabad, Advocate Roll No. A/A-1108/2012, do hereby declare that the person making this affidavit and alleging himself to be the deponent is the same person who is known to me from the papers produced in this case.



(Advocate)

L.T.S.L
Raj



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Solemnly affirmed before me on this ^{25th} day of ~~April~~ ^{May}, 2024 at ~~5:10~~ ^{5:10} A.M./P.M. by the deponent who has been identified by the aforesaid Advocate.

I have satisfied myself by examining the deponent that he understands the contents of this affidavit which have been read over and explained to him by me.

OATH COMMISSIONER



Shikha Srivastava
Advocate
Reg. No. U.P. 1125/12
OATH COMMISSIONER
High Court, Allahabad
Sl. No. ...
Date ...

L.T.V.
R.M.



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 भारतीय रिपब्लिक सरकार
 मु० परवेज
 Mu Parvej
 जन्म तिथि/ DOB: 04/06/1986
 पुरुष / MALE

2431 1291 3020

मेरा आधार, मेरी पहचान


 भारतीय रिपब्लिक पहचान प्राधिकरण
 UNION OF INDIA NATIONAL AUTHORITY OF INDIA

पता:
 आत्मज: मु० मुजमिल, गांव -
 ओलमापुर, पोस्ट - बेरमा,
 मगदो, आजमगढ़,
 उत्तर प्रदेश - 276138

Address:
 S/O Mu Mujmil, village -
 oimapur, post - barma, Sagri
 Azamgarh,
 Uttar Pradesh - 276138

2431 1291 3020

MEERA AADHAAR, MERI PEHACHAN

Shikha Srivastava
 Advocate
 Reg. No. U.P. 1124/09
 OATH COMMISSIONER
 High Court, Allahabad
 SI. NO.
 Date: 05/07/24



L-TJK
 Parvej



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5. Sri Shyam Sunder Tripathi, learned counsel for petitioners is a very Senior Advocate of this Court and Court has no doubt on his bonafide statement, therefore, this writ petition is not only dismissed but dismissed with a heavy cost of Rs.2,00,000/- (Rs.Two Lakhs) on each of petitioners. to be deposited by them before High Court Legal Services Committee, Allahabad within four weeks from today.

6. In default necessary proceedings shall be initiated against petitioners.

7. A copy of this order be sent to Sri Arun Kumar Singh, Advocate on his given address who will communicate it to petitioners.

Order Date :- 5.9.2024

SB