

Suo Moto writ petition (In Re: Waterlogging in the City of Prayagraj)

Court No.6

HON'BLE SIDDHARTH NANDAN, J.

1. At 10.00 AM, a number of Advocates of the Allahabad High Court Bar Association, including Senior Advocates namely, Shri Prabhakar Awasthi, learned Senior Advocate and Shri Amrendra Nath Singh, learned Senior Advocate and others have made a mention before this Court, based on the prevailing circumstances in the city of Prayagraj.
2. Office is directed to treat this order as a Suo Moto Petition No. of 2026, as suo moto cognizance is has been taken by this Court in **Re: Suo Moto Cognizance in the matter of non-implementation of the policy as per Government Order dated 20.12.2024 for the purposes of drawing up a 'Drainage Master Plan' and failure of the civic amenities in the district of Prayagraj City.**
3. Heard Shri Amarendra Nath Singh, learned Senior Advocate, Shri Ashok Kumar Singh, (Ex- President, High Court Bar Association), Shri Prabhakar Awasthi, learned Senior Advocate along with Shri Saurab Tripathi, Shri Alok Shukla, Shri Himanshu Srivastava, Shri Shubham Paliwal, Shri Jay Pratap Singh Suryavanshi, Shri Harshit Pratap Singh, Advocates, Shri Shaurya Sharma, Advocate, Shri Akhand Pratap Singh, Advocate, Shri Anuj Vikram Singh, Shri Sravan Kumar Yadav, Shri Tanay Shahi, Shri Tanuj Shahi, Shri I.P. Srivastava, learned A.C.S.C., Shri Ajay Sinha, Shri Rajesh Kumar Srivastava, Shri Raghvendra Pratap Singh, Shri Nirbhay Singh, Shri Arvind Sikaria, Shri Pawan Sut, Shri Vikas Chandra Tiwari, Shri Dharmendra Pratap Singh, Shri Nitin Sharma, Shri Sujeet Kumar, Shri Akhand Pratap Singh, Shri Ritesh Upadhyay, Shri Shravan Kumar, Shri Dinesh Kumar, Shri Saumitra Singh, Shri Prashant Mishra, Shri Anup Shukla, Shri Anand Mohan Pandey, Rajnish Kumar Srivastava, Shri Dr. Vishnu Pandey, Shri Piyush Dwivedi, Advocates.
4. A specific mention has been made with respect to the online tabloids for eg. Amar Ujala news paper, who published the news, regarding the pathetic condition in the city of Prayagraj on account heavy rainfall in the past few days. More specifically, the areas which has been mentioned to be flooded, leading to a situation where the residents of the said localities are virtually in home arrest and are unable to come on the roads

including the Advocates, are George Town, Tagore Town, Allahpur, Alopibagh, Bairahna, Rambagh, Preetam Nagar etc.

5. It has also been specifically asserted that Advocates could not appear, before this Court, inspite of the fact that the matters are listed, on account of the fact that they are unable to get out of their homes and even their clerks are not able to reach the offices of the Advocates, in order to bring the files to the court.

6. Shri Prabhakar Awasthi, learned Senior Advocate has pointed out, an instance where even against the adverse wheather, when the Clerk of Shri Shaurya Sharma, Advocate was coming to the Court, on account of the potholes and the water logging on the roads, he could not maintain the balance of his bycycle and fell, on account of which most of the files were spoilt in the water.

7. He submits that even the Municipal Commissioner, Prayagraj and the District Magistrate, Prayagraj; has shown their inability on account of the fact that the projects which are streamlined for the purposes of taking care of the water logging problem in Prayagraj city, are stalled at the Government's level, for want of approval and sanctions.

8. This Court finds that it is a serious matter and in case the Advocates and their Clerks are prevented from coming to the Court and the records of the case files are being destroyed, it directly affects the Administration of Justice.

9. An advocate of the Bar has also informed this Court that there is water logging in front of the Photo Affidavit Centre of the High Court, Allahabad on account of which the litigants and advocates cannot reach the photo affidavit centre and certain urgent matter which are required to be filed today, failing which they would have been rendered infructuous, are not in a position to be filed; and this factum also indicate that the failure of the civic authorities is leading to interference in the administration of justice.

10. Apart from the aforesaid, even the learned Additional Chief Standing Counsel, who is present in the court, submits that he is also a resident of George Town locality and he is also severely effected. The issue is not confined to water logging, but the problems pertaining to the 'sewage system' also; and on account of the heavy rainfall, the water which are entering the homes of 3000-4000 residents, merely in the locality of George Town and Tagore Town, are not rain water but sewage water; and it can be visualized that in case the sewage water is filled up in the house of the residents, it is highly unhygienic and may lead to severe catastrophic in the form of various diseases being spread.

11. It has also been informed across the Bar, that Municipal Commissioner, Prayagraj and District Magistrate, Prayagraj had though informed that a proper proposal for preparation of the “catchment area” over the Green Belt on M.G. Marg, has been presented before the Principal Secretary, Urban Planning Department, and in turn after being approved at the Departmental level, the same is pending before the Chief Secretary, Government of U.P.

12. Efforts were made to contact the Chief Secretary also and it has also been informed that in Principal, he has approved the project, but for the funding, it is the State Government who has to release the funds and on account of the matter being pending at the level of Chief Minister’s Officer, the project is not being undertaken.

13. Shri Amrendra Nath Singh, learned Senior Advocate has raised another essential issue regarding the encroachment over the pond which functioned, as a catchment area, few years back and is located at the junction of Jawahar Lal Nehru Road and C.Y. Chintamani Road (herein after referred to as ‘J.L.N.’ road and ‘C.Y.C.’ Road), wherein as a matter of fact by way of an encroachment, a petrol pump namely ‘Sangam Petrol Pump’ is being run and on account of no action being taken on behalf of P.D.A., the encroachments behind the said petrol pump has also cropped up and is still continuing.

14. The Advocates have also indicated, that apart from the private encroachment made by the private persons, even the Nagar Nigam, Prayagraj has encroached over the area which was initially a pond at the juncture of C.Y.C. road and J.L.N. road.

15. He further submits that at one stage, a CBI inquiry was also directed and post submission of the charge sheet, some encroachers were also convicted and were put behind the bar.

16. In spite of the aforesaid, no action is taken either by the Municipal Authority or by the Development Authority.

17. In view of the aforesaid, this Court deems it fit that in exercise of powers under Article 226 of the Constitution of India, to take Suo Moto cognizance of the matter and also taking into account the newspaper report, direct the Registry to register a public interest litigation, on the said public issue.

18. The Registry is directed to allot a regular number under the category of ‘Public Interest Litigation’ and let this matter be placed before the Hon’ble Chief Justice and in case he is not available, the same shall be placed before the Hon’ble Senior Judge, for the purposes of nomination of a Bench and for an urgent hearing, today itself, if possible. For the convenience of the Bench, a PIL has been drawn, with the help of the

members of the Bar, which shall be placed before the Bench, along with this order, for consideration.

19. It has also been informed across the Bar that an identical matter is also likely to be listed tomorrow i.e. 19.08.2026 before the Bench comprising of Hon'ble Ajit Kumar, J.

(Siddharth Nandan,J.)

August 18, 2026
Sumit.K



HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 33377 of 2026

In Re Waterlogging In The City Of Prayagraj

.....Petitioner(s)

Versus

State Of U.P. Through Secretary, Urban
Development And Planning And 2 Others

.....Respondent(s)

Counsel for Petitioner(s)

: In Person

Counsel for Respondent(s)

:

Court No. - 1

HON'BLE AJIT KUMAR, J.

HON'BLE GARIMA PRASHAD, J.

1. Office is directed to treat it as sou motu petition no. of 2026.
2. This is the suo motu cognizance taken by the Court in re: city waterlogged due to incessant rain, difficulties faced by Judges in reaching the Court causing delayed Court sitting.
3. Let the District Magistrate, Prayagraj, as well as Municipal Commissioner, Prayagraj appear before this Court to explain to us as to why measures were not taken in advance to ensure that the city, particularly the low lying areas, do not get waterlogged.
4. The Secretary, Urban Development and Planning, Government of Uttar Pradesh, shall also be filing a personal affidavit in the matter by day after tomorrow to explain as to what are the plans approved for ensuring that the city does not get waterlogged due to incessant rain, bringing business to a halt and also causing difficulties to the Judges in reaching the Court, resulting in direct interference to the administration of justice.
5. Sri Ajai Kumar Mishra, Advocate General alongwith Sri M.C. Chaturvedi, Additional Advocate General is directed to assist this Court on the next date fixed. Sri Manoj Kumar Singh, learned Standing Counsel for the State as well as Sri Pradeep Kumar Shahi, learned Chief Standing Counsel is directed to intimate this order to the concerned authorities.
6. The Registrar (Compliance) shall intimate this order to all concerned authorities today itself.
7. List this matter on 20.08.2026.

(Garima Prashad,J.) (Ajit Kumar,J.)

August 18, 2026

Sachin Mishra