2026:AHC-LKO:80321-DB

HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW

CRIMINAL WRIT-PUBLIC INTEREST LITIGATION No. - 14 of 2026

Sudama Ram

.....Petitioner(s)

Versus

Addl. Chief Secy./Prin. Secy. Deptt. Of Medical And Health Services Lko. And 7 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Prem Shankar
Counsel for Respondent(s)	:	C.S.C.

Court No. - 9

HON'BLE RAJESH SINGH CHAUHAN, J.
HON'BLE RAM MANOHAR NARAYAN MISHRA, J.

1. Heard Shri P.S. Bajpai, learned counsel for the petitioner and Shri Anurag Verma, learned AGA-I for the State-respondent nos.1 to 7.

2. Supplementary affidavit filed today by learned counsel for the petitioner, the same is taken on record.

3. By means of this PIL (Criminal), the petitioner has prayed for the following reliefs:-

"i) issue an appropriate writ order or direction thereby cancelling the CBCID closure Report dt. 12.7.2018 contained in annexure no. 2 to the writ petition and direct the respondent no.1 and 2 to ensure fresh/further fair and impartial investigation of the recruitment scam on 728 posts of Lab Assistant (Rural) in Medical & Health Department held 30.08.2009 and its result was declared on 10.07.2010 within stipulated time;

ii) issue an appropriate writ order or direction commanding the respondent no. 1 & 2 to take appropriate action against the Investigating Officer as well as other beneficiaries and other connected officials who have played active role in commission of fraud thereby declaring prime/main accused Dr. S.K. Gupta, to be dead Joint Director Medical & Health Department holding charge of Chairman of committee conducting

examination of Lab Assistant (Rural) in Medical & Health Department against 728 vacancies;

iii) issue a writ order or direction in the nature of mandamus to respondent no. 1 & 2 to pass appropriate order for appointment of independent agency to re-investigate/further investigate the crime no. 2953 Kha/Chh-Pu-4-26 CB No. 17/17 regarding scam in appointment of Lab Assistant (Rural) in year 2008-2009 for the post of 728;"

4. So far as the declaration of the antecedents of the petitioner is concerned which is required under the High Court Rules to file PIL, the same has been indicated in Para 5 of the PIL, wherein it has been indicated that the petitioner is a retired employee, retired from the post of Senior Assistant from Medical Directorate Swasthya Bhawan, Lucknow and he is having no personal interest in the matter. The reason to file this PIL (Criminal) to demonstrate the fraud being committed by the investigating agency in a serious matter.

5. In the aforesaid backdrop, it is clear that the present PIL (Criminal) has been filed by a retired employee of the Medical Department, alleging some fraud committed by the Medical Department, for which one FIR bearing Case Crime No. 0005 of 2017, under Sections 409 and 420 IPC, P.S. Husainganj, District Lucknow, has been filed on 04.01.2017.

6. At this stage, we would like to observe that if any PIL is filed in a criminal matter, the scope is limited to the extent that if the issue in question is related to any reforms in the criminal administration of justice, the mechanism of such system or to regulate the agencies which discharge their obligation and responsibilities under criminal administration of justice. In the present case, the retired employee of the Medical Department is trying to demonstrate some alleged irregularities, for which

one FIR has already been lodged on 04.01.2017.

7. Shri Anurag Verma, learned AGA-I for the State has drawn attention of this Court towards the judgment and order dated 04.10.2021 passed by this Court in **Special Appeal No. 695 of 2012, Manoj Srivastava versus State of U.P. & Ors**. For the convenience, the order dated 04.10.2021 reads as under:-

> *"Heard Sri Raj Karan Singh, learned counsel appearing for the appellant-petitioner and Sri V.P. Nag, learned State Counsel representing the State-respondents.*
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> *This intra-court appeal has been filed by the appellant-petitioner whereby challenge has been made to the judgment and order dated 06.09.2012, passed by the learned Single Judge in Writ Petition No. 2326(SS) of 2012. We may note at this juncture itself that by the said judgment and order dated 06.09.2012, the writ petition filed by the appellant-petitioner was dismissed.*
>
> *It has been argued by learned counsel for the appellant-petitioner that the view taken by the learned Single Judge while dismissing the writ petition that the petition was not maintainable for the reason that it was not open to the petitioner to challenge the selection once he had participated in the same, is erroneous and the said dictum would not be available in the facts and circumstances of the present case. It has further been argued by the learned counsel for the appellant-petitioner that from the documents available on record in this case, it is abundantly clear that the appellant-petitioner in the selection in question had secured 86 marks whereas the last candidate belonging to the category to which the appellant-petitioner belongs had secured 82 marks, as such the finding recorded by the learned Single Judge that he is not entitled to seek selection for training in question on the said basis, is also erroneous.*
>
> *On the other hand, learned State Counsel, Sri V.P.Nag has vehemently opposed this Special Appeal and has stated that the judgment and order*

dated 06.09.2012, passed by the learned Single Judge does not suffer from any illegality so as to call for any interference by this Court in the Special Appeal. He has further stated that as per the record, the appellant-petitioner has secured 77 marks in the written examination and 4 marks in the interview and accordingly the aggregate marks of the appellant-petitioner secured in the selection were 81 which were below the cut of marks on the basis of which the candidates belonging to the category to which the appellant-petitioner belongs were selected. He has also stated that the document being relied upon by the appellant-petitioner i.e. Compact Disk result/list is not an authentic document; neither it is available on record in the department nor has it been even signed by any authority of the department. Thus, reliance placed by the appellant-petitioner on the said document to claim right of selection for training in question is not tenable.

We have given our anxious consideration to the respective submissions made by learned counsel for the parties and have also perused the record available before us.

The Director General, Medical & Health Services, U.P., Lucknow issued an advertisement dated 17.12.2008 inviting applications for selection for six months training as Laboratory Assistant (Rural) at the Government Training Centers of the State of U.P. The said training was to be imparted for the purposes of making selection for appointment against 728 vacancies in the post of Laboratory Assistant (Rural).

The appellant-petitioner fulfilling the requisite qualification submitted his application in pursuance of the said advertisement dated 17.12.2008 and also appeared in the written examination held on 30.08.2009. The result of the said written examination was declared on 27.09.2009 and the candidates declared successful in the written examination were subjected to the interview which was held by the respondents/department from 15.05.2010 to 15.06.2010. However, in the final result the appellant-petitioner did not find his name amongst successful candidates, as declared by the department.

The appellant-petitioner filed a Writ Petition No.5518(SS) of 2010 being

aggrieved by his non-selection, before this Court which was finally disposed of, vide order dated 24.08.2011 whereby the State Government was directed to consider and take decision on the representation dated 19.08.2011 submitted by the appellant-petitioner. Pursuant to the said order dated 24.08.2011, the State Government took a decision on the representation dated 19.08.2011 preferred by the appellant-petitioner and, thus, passed the order dated 22.03.2012 whereby the representation preferred by the appellant-petitioner was rejected. It is this order dated 22.03.2012 which was challenged by the petitioner by filing Writ Petition No.2326(SS) of 2012, which has been dismissed by learned Single Judge, vide judgment and order dated 06.09.2012, which is under challenge herein.

The appellant-petitioner by filing Writ Petition No.2326(S/S) 2012 not only challenged the order date 22.03.2012 passed by the State Government and sought its quashing but also prayed that for issuing a direction to the State Government or to any other impartial independent agency such as CBI to investigate and enquire into the alleged bungling said to have occurred in the selection of 728 trainee Laboratory Assistant (Rural). The appellant-petitioner also prayed that direction be issued to the respondents to consider his candidature for selection as trainee Lab Assistant (Rural).

The learned Single Judge while dismissing the said writ petition, vide judgment and order dated 06.09.2012 has observed that though the appellant-petitioner has raised questions about the selection, however, he has not challenged the same. Learned Single Judge also observed that the appellant-petitioner had participated in the selection and has filed the writ petition after declaration of the result. Relying upon the judgment of Hon'ble Supreme Court in the case of Manish Kumar Shahi vs. State of Bihar and others (2001) Vol.12 SCC 576, learned Single Judge has observed in the judgment under appeal that the appellant-petitioner has invoked the jurisdiction of the High Court under Article 226 of the Constitution of India only after he found that his name did not figure in the merit list, this situation himself dis-entitles him to seek relief of questioning to the selection. Quoting para-16 of the said judgment,

learned Single Judge expressed his opinion in the impugned judgment and order dated 06.09.2012 that in the facts and circumstance of the present case, the appellant-petitioner is also not entitled to raise a finger on the selection for the post in question after being declared unsuccessful.

With respect, we may state that so far as the law laid down by Hon'ble Apex Court in the case of Manish Kumar Shahi (supra) is concerned, there cannot be any quarrel on the principles enunciated therein by the Hon'ble Apex Court. However, in the said case challenge to the selection was made by the person having been declared unsuccessful on the ground that 19% marks could not have been earmarked for viva voice test, that is to say, selection was challenged, after declaration of result by a person having been found unsuccessful, on the ground that criteria for selection relating to assignment of 19% marks having been earmarked for viva voice was not fair. Thus, the challenge which was before the High Court in the case of Manish Kumar Shahi (supra) was not any alleged anomaly, irregularity or illegality committed during course of the selection; rather challenge was made to the criteria of the selection itself. In this fact situation, it would be apt to observe that once a candidate or a person takes part in the selection knowing well the criteria to be adopted for the selection, then once he is declared unsuccessful, he cannot be permitted to challenge the selection on the ground that criteria for selection adopted was in any manner illegal.

So far as the facts of the instant case are concerned, challenge by the appellant-petitioner has not been made to any criteria of selection; rather allegations contained in the writ petition relates to certain irregularities and illegalities (bungling) said to have been committed in the selection. In such a situation, we are of the opinion that the petition filed by the appellant-petitioner was maintainable and the same could not have been dismissed solely on the ground based on the principles laid down by the Hon'ble Apex Court in the case of Manish Kumar Shahi (supra).

However, having observed as above, we now examine as to whether the prayer made by the appellant-petitioner in the writ petition regarding consideration of his candidature for his selection as trainee Laboratory

Assistant (Rural) can be granted in these proceedings. We will consider this question in subsequent part of this judgment. Before that, we will examine the prayer no.2 made by the appellant-petitioner whereby he had sought a direction to the State Government/Independent and Impartial Agency like CBI to investigate/enquire into the alleged bungling relating to selection of 728 posts of the trainee Laboratory Assistant (Rural).

In these proceedings, an order was passed on 24.02.2020 by the Court observing therein that the earlier order passed by the Court shows direction to the Principal Secretary to analyse the matter and formulate the response in reference to the serious allegations relating to selection in question. The Court in the order dated 24.02.2020 further observed that taking note of the earlier order, the appropriate response was to be given by the State authorities and accordingly the Court provided that if appropriate explanation is not furnished, then, it goes without saying that order adverse to the concerned officer would be passed. In the said back-ground, the State Government was, thus, directed to furnish details of the officers involved in the selection process. Pursuant to the said order dated 24.02.2020, learned State Counsel has filed supplementary counter affidavit on behalf of the state-respondents stating therein, inter-alia, that a C.B.C.I.D. enquiry was ordered and conducted in relation to missing OMR sheets. The said supplementary counter affidavit dated 27.08.2021 further states that C.B.C.I.D. accordingly after conducting enquiry submitted its report dated 16.10.2018 to the State Government and as per the said report in respect of missing OMR sheets, Dr. S. K. Gupta, Dr. Shobh Nath, Sri Babu Ram Chaudhary and members of Screening Committee i.e. Dr. R.R. Bharti, Dr. Savitri Arya and Sri Shailendra Bharti were found responsible for safe custody of OMR sheets. The said supplementary counter affidavit further states that after report dated 16.10.2018 submitted by C.B.C.I.D., Dr. S.K.Gupta had died on 26.01.2018 and as such no action could be taken against him. It has further been stated in the affidavit that so far as Dr. Shobh Nath, Sri Babu Ram Chaudhary, the then Senior Assistant, Dr. R.R. Bharti, Dr. N.P.Singh, Dr. Savitri Arya and Sri Shailendra Bharti are concerned, no sufficient evidence could be found to initiate any criminal action. Accordingly, recommendation was made for initiating departmental proceedings/action

against these officers/officials. Supplementary counter affidavit further states that in the report dated 16.10.2018, no evidence of any criminal act was found against the Agency which conducted the written test and as such in the Case Crime No. 05/2017, under Section 409, 420 I.P.C., Police Station Husainganj, District Lucknow, the investigation was concluded with the final report and final progress report dated 12.07.2018 was sent to the State Government.

Supplementary counter affidavit further states that in respect of two other officers, namely, Sri Babu Ram Chaudhary and Sri Shailendra Bharti, it was found that Sri Babu Ram Chaudhary had already retired on 31.12.2015 and hence, disciplinary proceedings could not be initiated against him and further that against Sri Shailendra Bharti, disciplinary proceedings have been initiated and charge sheet has also been served. As per the affidavit, in terms of the recommendations made by the C.B.C.I.D., the matter relating to initiation of departmental enquiry against Dr. R.R. Bharti, Dr. N.P.Singh and Dr. Shobh Nath was also considered, however, on examination, it was found that since the matter related to the year 2009 and all these officers had already retired in the year 2010 and 2012 and period more than 4 years has already elapsed as such no departmental proceedings could be initiated, in view of the provisions contained in Paragraph 351A of the Civil Service Regulations.

In view of the averments made in the said supplementary counter affidavit, what we find is that the matter relating to loss of OMR sheets was enquired into by the C.B.C.I.D. and the report/recommendation made by C.B.C.I.D. has been considered by the State Government and accordingly decision by the State Government has also been taken.

In view of the aforesaid, we do not find anything on record to pursue the matter relating to enquiry into the loss of OMR sheets any further.

So far as the prayer made by the appellant-petitioner in the writ petition that appropriate direction be issued to the respondents to consider his candidature for selection as trainee Lab Assistant (Rural), we may note that the sole basis of the said prayer as pleaded in the writ petition, as also before us, is a document which was annexed as Annexure No.9 to the Writ

Petition No. 2326(SS) of 2012. The said annexure is purportedly a chart containing "Details of candidates secured marks in written competitive test of Laboratory Assistant (Gramya) held on 30th August, 2009". The document enclosed as Annexure No.9 to the writ petition contains six pages wherein at Serial No. 101, Roll No. 222249 is mentioned which is the Roll Number assigned to the appellant-petitioner, against which the marks obtained in the written examination are entered as 86. Submission of learned counsel for the appellant-petitioner is that the said document depicts the result which was compiled and is available record of the respondents, however, by making manipulations in the OMR sheets, not only of the appellant-petitioner but of various other candidates, the result has been manipulated which has deprived the appellant-petitioner of his right to claim selection as trainee Laboratory Assistant (Rural). The other document on which the appellant-petitioner has relied upon is the photostat copy of the OMR answer sheet, which was submitted by him before this Court and the OMR sheet submitted by the State Counsel relating to the appellant-petitioner. It has been stated by the learned counsel appearing for the appellant-petitioner that photostat copy of the OMR sheet supplied by him to this Court is the photostat copy of the carbon copy of the OMR sheet which was given to him immediately on completion of examination when answer sheets were collected by the invigilator in the examination room. His further submission is that if the OMR sheet furnished by the appellant-petitioner to this Court is compared with the OMR sheet as supplied to this Court by the State Government, the manipulation in the same is abundantly visible and it is on account of this manipulation that the appellant-petitioner has been deprived of his right of selection.

Photostat copy of the OMR sheet supplied by the appellant-petitioner and the OMR sheet supplied by the learned State Counsel which is kept in a sealed cover, are available before us. The said sealed cover has been opened in presence of the learned counsel appearing for the parties and what we find is that the OMR sheet supplied by the appellant-petitioner is only a photostat copy of the alleged carbon copy of the OMR answer sheet which is said to have been supplied to the appellant-petitioner by the invigilator. The OMR answer sheet which is supplied by the appellant-

petitioner is not the carbon copy, it is rather photostat copy of the said carbon copy.

In the aforesaid circumstances, the question which arises for our consideration is as to whether on the basis of the document enclosed as Annexure No.9 to the writ petition which allegedly contains details of the marks secured by the candidates and on the basis of photostat copy of the carbon copy OMR answer sheet furnished by the appellant-petitioner before this Court, any direction for consideration of the candidature of the appellant-petitioner can be ordered by us.

So far as the document annexed as Annexure No.9 to the writ petition is concerned, the same appears to be the photostat copy of the same document which is described as "Details of candidates secured marks in written competitive test of Laboratory Assistant (Gramya) held on 30th August, 2009". The said document contains a list of high merit list of written test but not finally selected with roll numbers, category of the candidates and the marks allegedly obtained by them. This document is being denied by the respondents/department and no source of this document has been disclosed by the appellant-petitioner as to from where he obtained the same. The said document bears no signature of any officer/official and as such the authenticity of the said document cannot be deciphered by us in these proceedings. In this view, placing reliance on such unauthentic document will not be sufficient, in our opinion, to grant relief as prayed for by the learned counsel for the appellant-petitioner for consideration of his candidature for selection as Laboratory Assistant (Rural). The OMR answer sheet submitted by the appellant-petitioner to this Court is the other document on which appellant-petitioner has placed reliance on perusal of which, it is noticeable that the said OMR sheet is not the original carbon copy of the OMR sheet; rather it is a photostat copy of the alleged carbon copy of the OMR sheet. Had the OMR sheet supplied by the appellant-petitioner been the original carbon copy of the OMR sheet which was given to him in the examination hall, we may have been in a position to decipher its authenticity/validity. Since it is only a photostat copy of the alleged carbon copy of the OMR sheet, on the basis of the said document as well, the appellant-petitioner cannot be granted

relief as has been prayed for by this Court in these proceedings regarding consideration of his candidature for being selected as trainee Laboratory Assistant (Rural)

In the aforesaid view of the matter, we do not find any good ground to interfere in the judgment and order under appeal passed by learned Single Judge dated 06.09.2012 in Writ Petition No. 2326(SS) of 2012.

The Special Appeal is, thus, dismissed.

However, in the facts of the case, there will be no order as to costs."

8. The aforesaid judgment, though is not para wise but in the running page 7, we noticed that the reference of the aforesaid FIR has been made and the Division Bench of this Court has noted the relevant fact that in the aforesaid FIR, the investigation was concluded with the final report and final progress report dated 12.07.2018 was sent to the Government.

9. If the final report was sent to the Government on 12.07.2018, any aggrieved person may take legal recourse which is permitted under the law at the earliest.

10. The aforesaid petition/ appeal was dismissed vide judgment and order dated 04.10.2021.

11. Shri Anurag Verma has also shown a certified copy of the order dated 30.04.2024 passed by the Special Judicial Magistrate, CBCID, Lucknow in the aforesaid FIR, accepting the final report. In the aforesaid order, the Special Judicial Magistrate has referred the relevant portion of the order of the Division Bench which indicates that

"In view of the averments made in the said supplementary counter affidavit, what we find is that the matter relating to loss of OMR sheet was enquired into by the CBCID and the report/recommendation has been

considered by the State Government has also been taken.

In view of the aforesaid, we do not find anything on record to pursue the matter relating to enquiry into the loss of OMR sheets any further."

12. Shri Verma has further submitted that the aforesaid order of Special Judicial Magistrate could have been assailed by the aggrieved person by taking legal recourse under the law, but the aforesaid order has not been assailed. Not only the above, the aforesaid order has not been assailed in the present PIL (Criminal), therefore, the relief no.1 loses its efficacy on this ground also.

13. However, Shri P.S. Bajpai has stated that the petitioner is not aggrieved from the closure report dated 12.07.2018, as he is only willing to demonstrate some fraud being committed by the Department while concluding the selection in question and some alleged fraud is still continuing.

14. If the submission of learned counsel for the petitioner is taken as it is to the effect that he is not aggrieved from the closure report, then Shri Anurag Verma has placed reliance of the judgment of the Apex Court in re; **Pramod Kumar & Ors. versus State of U.P. & Ors.,** reported in **(2026) 5 SCC 308**, wherein the Hon'ble Apex Court in Para 32 has observed that if any investigation is completed/concluded by any investigating agency, the police report is filed and if the competent authority of the investigating agency is willing that the matter be further investigated, an appropriate application may be filed before the court concerned and it is the authority of the court concerned to direct further investigation under Section 173(8) Cr.P.C. For the convenience, Para 32 reads as under:-

"32. In light of the legal position as settled by this Court through the above judgments, it is safe to say that the power to direct further investigation in a case rests solely at the discretion of the Magistrate/Court concerned. In the event, the police/ investigation agency is of the opinion that further investigation is necessary in any particular case to cull out complete facts and truth in the case, it is binding upon them to file an appropriate application before the Magistrate/Court, without directing an order for further investigation by themselves. Once such an application is filed by the investigation agency, the Magistrate/Court would apply its judicial mind, in light of the facts and circumstances of the particular case and the reasons demonstrated by the investigating agency, in order to exercise its discretion for exercise of its power to decide whether or not further investigation is to be ordered under the purview of Section 173(8) CrPC."

15. By means of prayer (iii), the petitioner has prayed that the direction may be issued to respondent nos. 1 and 2 i.e. Additional Chief Secretary/ Principal Secretary Department of Medical & Health Services, U.P. Civil Secretariat Lucknow and Additional Chief Secretary/ Principal Secretary Department of Home, U.P. Civil Secretariat Lucknow, to pass appropriate order for appointment of independent agency to re-investigate/ further investigate the crime number in question regarding scam of appointment of the Lab Assistant (Rural) in the year 2008-2009 for the post of 728 candidates.

16. Admittedly, the examination in question is related to the year 2008-2009 and the exercise of the examination has been completed way back and selected persons have already joined on the post in question. So after about 18 years of the selection in question, it would not be appropriate to direct for further investigation or re-investigation, particularly in the light of the fact that the Division Bench of this Court has considered the subject matter in Special Appeal of **Manoj Srivastava** (supra), and such

Special Appeal has been dismissed vide order dated 04.10.2021. This fact has not been indicated in this writ petition/ PIL (Criminal) and to the best of information of Shri Anurag Verma, the judgment and order dated 04.10.2021 passed by the Division Bench has not been assailed before the Apex Court and selection in question has already been attained finality.

17. As per amended Rules of the High Court Rules, the petitioner is duty bound to indicate that there is no authoritative pronouncement on the subject matter, but no such averment is given in the PIL (Criminal). However, by filing supplementary affidavit today, such averment has been given in Para 3 of the supplementary affidavit.

18. Keeping in view of the fact that the issue in question has been subject matter in Special Appeal of **Manoj Srivastava** (supra), then such averment in Para 3 of the supplementary affidavit would be treated as false and misconceived.

19. Shri Anurag Verma has also placed reliance on the judgment of the Hon'ble Apex Court in re; **State of Jharkhand versus Shiv Shankar Sharma and Others,** reported in **(2022) 19 SCC 626** to submit that the Hon'ble Apex Court has observed that the writ court is not an appropriate forum for seeking an initiation of investigation as the remedies evolved by way of writ jurisdiction are of extraordinary nature and reliefs cannot be granted as a matter of due, where the statutory remedies are available to the petitioner. The Hon'ble Apex Court has positively observed in Para 12, 13, 14 and 15.

20. Shri Verma has also submitted that while concluding the judgment in re; **Shiv Shankar Sharma** (supra), the Hon'ble Apex Court in Para 38

and 39 has held that to approach the High Court by filing PIL, the disclosure of the facts and law should be fair and if the disclosure is not proper, such PIL may be dismissed. It further held that the High Court should not entertain the PIL, which is based on mere allegations and half-baked truth, that too at the hand of a person, who has not been able to fully satisfy his credentials. For the convenience, Para 38 and 39 reads as under:-

> *"38. We are not for a moment saying that people who occupy high offices should not be investigated, but for a High Court to take cognizance of the matter on these generalized submissions which do not even make prima facie satisfaction of the Court, is nothing but an abuse of the process of the Court. The non- disclosure of the credentials of the petitioner and the past efforts made for similar reliefs as it has been mandated under the 2010 Rules further discredits these petitions. The petitioner in the PILs did not go with clean hands before the High Court. In our view, such a petition was liable to be dismissed at the very threshold itself.*
>
> *39. If the petitioner has a genuine reason to pursue the matter, he has his remedies available under the Companies Act or under other provisions of the law where he can apprise the relevant authorities of the misdeeds of the Directors or Promotors of the Companies. But on generalized averments which are nothing but mere allegations at this stage, the Court cannot become a forum to investigate the alleged acts of misdeeds against high constitutional authorities. It was not proper for the High Court to entertain a PIL which is based on mere allegations and half baked truth that too at the hands of a person who has not been able to fully satisfy his credentials and has come to the Court with unclean hands."*

21. In view of what has been considered here-in-above, particularly the prayers and pleadings of the writ petition/ PIL (Criminal), submission of Shri P.S. Bajpai, learned counsel for the petitioner as well as of Shri Anurag Verma, learned AGA-I for the State, we find it appropriate to

observe that the present PIL (Criminal) is not only misconceived, but the same has been filed for ulterior reasons. Even the Rules of this Court (Chapter XXII of the Allahabad High Court Rules, 1952) have not been followed, which mandate that the petitioner of the PIL shall disclose his credentials properly and fairly and his prayer should be bonafide. He must have all the information regarding the subject matter for which PIL (Criminal) has been filed and any judicial pronouncement on the subject matter should be indicated, and the same should be enclosed with the PIL (Criminal).

22. The petitioner has not followed such mandatory requirements, therefore, we hereby dismissed the instant PIL (Criminal) and considering the fact that the present petitioner is a retired employee from the post of Senior Assistant from Medical Department, we refrain ourselves to impose any cost upon the petitioner. Accordingly, the present PIL (Criminal) is **dismissed**.

23. No order as to costs.

(Ram Manohar Narayan Mishra,J.) (Rajesh Singh Chauhan,J.)

November 5, 2026

Mohd. Sharif

Digitally signed by :-
MOHAMMAD SHARIF
High Court of Judicature at Allahabad,
Lucknow Bench