2026:AHC-LKO:84467-DB

A.F.R.

Reserved On : - November 18, 2026
Delivered On : - November 27, 2026

HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW

WRIT - C No. - 9320 of 2025

Nidhi Devi Mishra

…..Petitioner(s)

Versus

Union Of India Thru. Secy. Ministry Of Railways New Delhi And 3 Others

…..Respondent(s)

Counsel for Petitioner(s) : Ashish Mishra Atal
Counsel for Respondent(s) : A.S.G.I.

Court No. - 3

HON'BLE SHEKHAR B. SARAF, J.
HON'BLE ABDHESH KUMAR CHAUDHARY, J.

Hon'ble Abdhesh Kumar Chaudhary, J.: Heard Shri Ashish Mishra Atal, learned Counsel for the petitioner as well as Shri S.B. Pandey, Learned Senior Advocate and Deputy Solicitor General of India assisted by Shri Anand Dwivedi for the Respondent(s).

2. The present petition has been filed under Article 226 of the Constitution of India, for the following substantial relief(s):

> ***"(i)*** *Issue a writ, order or direction in the nature of certiorari quashing the order dated*

30.04.2025 and 30.05.2025 (ANNEXURE NO.1) passed by the opposite party No.3;

(ii) *Issue a writ, order or direction in the nature of mandamus commanding the opposite parties, to award compensation to the petitioner detailed in para No.21 of the writ petition or direct the Opposite Parties to give suitable job/employment in railways department as per her qualification.*

(iii) *Issue in favour of the petitioner any other writ, order or direction which this Hon'ble Court may deem just and proper in the circumstances of the case as also in the interest of justice.*

(iv) *Issue a writ, order or direction in the nature of mandamus commanding the opposite parties, to pay interest @ 12 % from the date of accident against the compensation till realization in favour of the Petitioner.***"**

3. The facts of the present writ petition lie in a narrow compass. At the time of the incident, the petitioner, aged about 23 years, was pursuing a Master's in Sociology while simultaneously working as a teacher at a private institution, Adarsh Balika Vidya Mandir, Village Bhatpurva, District Sitapur.

4. On 08.04.2018, while returning from her D.El.Ed. classes as a pillion rider on a motorcycle driven by her colleague, Mr. Akhilesh Rathaur, she reached the Hempur Railway Crossing, Sitapur. The gates were closed and the riders waited for a goods train to pass. After the train cleared, the barrier was raised and traffic moved. As the motorcycle passed under the first barrier, it snapped and fell on the petitioner.

5. She was taken by her colleague and passers-by to the District Hospital, Sitapur, where X-ray examination revealed 'Traumatic Paraplegia' caused by a vertebral fracture that injured the spinal cord. On 10.04.2018, she was referred to King George's Medical University, Lucknow, and two days later was shifted to Health City Hospital, Gomti Nagar, Lucknow. She was operated on 12.04.2018 and discharged on 20.04.2018. The expenditure on treatment is stated to be about ₹7,00,000 (Rupees Seven Lakhs only).

6. She was advised complete bed rest and regular physiotherapy. The Chief Medical Officer, Sitapur, by certificate dated 10.10.2019, assessed her permanent disability at 50% on account of traumatic stiffness of the spine and hip joint.

7. The petitioner claims ₹50,00,000/- as compensation, or in the alternative, appointment to a suitable post with the Railways. She relies on her M.A. degree, the experience certificate of the Principal of Adarsh Balika Vidya Mandir, proof of admission to the NIOS D.El.Ed. programme, newspaper reports, the police General Diary entries, her complete medical records, the disability certificate dated 10.10.2019, and the Uttar Pradesh Minimum Wages Notification of 2018.

8. Before considering the submissions made at the Bar by learned Counsel for the parties, it is appropriate to outline the chequered history of this dispute, as it provides essential context for the maintainability and justiciability of the present writ petition. It emerges from the record

that after the fateful accident of 8th of April, 2018, the petitioner approached the Railways for compensation. However, the petitioner's claim was rejected by the Railways by order dated 30.07.2018 on the ground that the Motor Accident Claims Tribunal alone could entertain it. Accordingly, the petitioner filed a writ petition being *Misc. Bench No. 32390 of 2018 (say **first round of litigation**)*.

9. By an order dated 17.09.2019, in the aforesaid writ, this Court recorded a total failure of the railway administration to act under the Railways Act, 1989, and noted that the Motor Accident claims Tribunal had no jurisdiction to entertain such claim petition, nor the Railway Claims Tribunal had any jurisdiction because she was not a passenger travelling by train. Therefore, the Railways were directed to proceed under Section 15 of the Act, with liberty to the petitioner to invoke the proviso to Section 15(2) if dissatisfied with the sufficiency of the compensation amount.

10. In view of the aforesaid direction of this Court, the Railways passed an order dated 04.12.2019 apparently finding fault on the part of the petitioner and holding that the injury was self-inflicted and as such no compensation was payable to her. That order was challenged in *Writ-C No. 8562 of 2022 (say **second round of litigation**).* After extracting the statement of the Gate Man on duty on the date of the accident, this Court, by order dated 06.02.2025, observed as follows:

> **"***The said statement has not been denied in the counter affidavit. Averments in Para 5 of the*

counter affidavit are perverse being contrary to the statement quoted above. The Statement of the said railway employee itself is sufficient to establish that the incident resulting in injuries to the petitioner took place on account of faulty functioning of the barrier installed by the Railways, therefore, for the Divisional Railway Manager, Northern Railway, Moradabad to say as he has done in the impugned order dated 04.12.2019 that the petitioner should have been more cautions and that the incident occurred on account of negligence of the motor cyclist cannot be accepted by any stretch of imagination. None of the evidence as collected during the inquiry ordered by the Railway Authorities has been discussed in the impugned order. The order is cryptic one which has been passed only to deny the petitioner's rightful claim to compensation. Not only it suffers from abject non application of mind to the facts of the case and the evidence collected during inquiry but also it displays a predetermination on the part of the Officer to absolve the Railways from any monetary liability in the matter."

11. Furthermore, this Court also held that Section 15, falling in Chapter VI of the Act ("Construction and Maintenance of Works"), was not attracted, so that the rejection of any claim under that provision was no bar to the petitioner's seeking compensation in writ jurisdiction. Noting the Railway Board guidelines placed before it under cover of letter dated 05.11.2018, this Court directed the Railways to reconsider and decide the claim of compensation payable to the petitioner, within three months, in light of those observations.

Admittedly, this order dated 06.02.2025 passed in *Writ-C No. 8562 of 2022 (*say *second round of litigation)* was not challenged and accordingly has attained finality.

12. Albeit**,** the Respondent-Railways in compliance of the aforesaid order passed by this Court, passed the impugned order dated 30.04.2025 (communicated vide letter dated 30.05.2025), holding *inter-alia* that the Guidelines as mentioned by this Court vide its order dated 06.02.2025 were not applicable to the petitioner as the said guidelines were issued for the Railways employees or their dependents, who became permanently disabled due to any unexpected and unforeseen accident that occurred in the Railways premises during any railway route and provisions made by the Ministry of Railways. Thus, the respondent-Railways finding that the guidelines were not applicable to the petitioner, vide the impugned order went on to hold that the petitioner was entitled for merely an amount of ₹25,000/- as an ex-gratia amount, in terms of the *Railway Board Circular No. 2011/TC-III/27/29/Ex-Gratia* dated 07.05.2013. Accordingly, the Respondent-Railways in furtherance to their said decision granted an ex-gratia amount along with interest, totalling to ₹46,250/- in favour of the petitioner.

It is in the aforesaid background that the present writ petition (say ***third round of litigation***) has been filed by the petitioner, seeking enhancement of the compensation or in the alternative, she may be appointed on some suitable post by the Railways, according to her educational qualification.

13. Learned Counsel appearing for the petitioner has submitted that the accident was caused solely by the failure of the Railways to maintain the barrier and that the finding to this effect has attained finality. He has further

strenuously submitted that the ex-gratia amount of ₹46,250/- is illusory against a permanent disability and a destroyed career and that this Court has repeatedly awarded compensation in such cases. Reliance in this regard was placed on the judgments of **(i)** *Nripen Jyoti Gogoi v. Union of India*, 2017 SCC OnLine Gau 1099; **(ii)** *Hitesh Nagjibhai Patel v. Bababhai Nagjibhai Rabari,* 2025 SCC OnLine SC 3446; **(iii)** *National Insurance Co. Ltd. v. Pranay Sethi*, (2017) 16 SCC 680; **(iv)** *Mohd. Sabeer v. U.P.S.R.T.C.,* (2023) 20 SCC 774; **(v)** *Kajal v. Jagdish Chand*, (2020) 4 SCC 413; **(vi)** *RamSad P. v. Afsal & Ors.*, SLP (Civil) No. 15867/2026 (Order dated 02.06.2026); and **(vii)** *Shakuntala Devi v. State of U.P.,* 2023 SCC OnLine All 2874.

14. *Per contra,* the Respondent-Railways have vehemently objected to the present writ petition. Learned DSGI has submitted that the petitioner had filed an earlier Writ Petition being *Writ-C No. 8562 of 2022,* which came to be decided vide an order dated 06.02.2025, wherein this Court had directed the Railways to reconsider the case of the petitioner. According to him, the Railways in compliance of the said order has passed the impugned order dated 30.04.2025, wherein it was found that the petitioner was entitled for an amount of ₹25,000/- as an ex-gratia amount, in terms of the *Railway Board Circular No. 2011/TC-III/27/29/Ex-Gratia* dated 07.05.2013. He has further submitted that the Respondent-Railways in furtherance to their said decision have also released the said ex-gratia amount along with interest, totalling to ₹46,250/- in favour of the petitioner. He has thus

submitted that the petitioner has been already paid compensation under the relevant guidelines issued by the Ministry of Railways and as such no further amount is payable to the petitioner as is being claimed in the present writ petition.

15. Learned Senior Counsel for the Respondent has also submitted that the circular dated 18.09.2023 for payment of ex-gratia amount is not applicable as the said circular came into effect from the year 2023 only. As far as the incident of accident is concerned, it was submitted that the petitioner was found guilty while crossing the railway barrier. However, nothing more was stated during the oral submissions and as such this Court has perused the counter-affidavit filed by the Railways to understand their stand on the said accident. Since, we were not able to comprehend the actual reason for the accident as stated in the counter-affidavit, we found it appropriate to extract the version of the Railways from the counter-affidavit, wherein it is stated, "*that it is strictly forbidden at the level-crossing and considered as an offence to pass the level crossing closed for railway operation. Added to this, everyone is allowed to pass when the train passes and the booms of level crossing in the position of 90 degree. The applicant's ingress caused the accident.*"

16. In rejoinder, nothing new has been contended, except that the petitioner has submitted that the impugned order dated 30.04.2025 was not passed as per the directions of this Court. It was also contended that the respondent-Railways failed to take any steps under Section 15 of the

Railways Act as was directed by this Court in its earlier round of litigation.

17. Having heard the learned Counsel for the parties and perused the material on record. It is rather sad and insensitive on the part of the Railways to have proceeded in such a manner in the present matter. A young woman of twenty-three, a teacher by vocation and a student by aspiration, was waiting at a railway crossing for a goods train to pass. The gates opened, traffic resumed, and as her motorcycle moved beneath the barrier, the barrier snapped and fell on her. She was left with Traumatic Paraplegia and a lifelong permanent disability. The State instrumentality whose barrier failed, first rejected her claim as one for the Motor Accident Claims Tribunal, then branded her injury "self-inflicted", and finally offered her ₹25,000 as ex-gratia. This is the third time she has come to this Court.

18. Thus, the question before this Court is straight and simple; as to when a barrier maintained by the Railways collapses onto a lawful road user, should the injured and broken citizen be turned away with a token sum, or does the Constitution require that she be adequately compensated and made whole, insofar as money can do so. For the reasons below, we hold that it requires the latter.

19. Although, the Railways have not seriously disputed the jurisdiction of this Court to entertain this writ petition, but because compensation is being awarded and in order to satisfy our own self-restraint doctrine, we state why a

writ is the only proper vehicle for the said purpose, in the given facts and circumstances.

20. Admittedly, it was held in the first round of litigation that the petitioner cannot go to the Railway Claims Tribunal. Its jurisdiction under the Railway Claims Tribunal Act, 1987, and the Statutory liability in Section 124A of the Railways Act, 1989, are tied to an "untoward incident" suffered by a passenger in the course of working of a Railway. This Court has already held in 2019 that the petitioner was not a passenger. Further, in the second round of litigation, this Court in 2025 has held that Section 15 of the Act is inapplicable. The Railways' first answer, that the Motor Accident Claims Tribunal should decide, does not assist them, since no negligence of any motor vehicle is alleged and the injury arose from the failure of the Railways' own barrier. She is therefore, left with no statutory forum and no statutory remedy.

21. It is well settled that where a fundamental right under Article 21 of the Constitution of India is infringed by the negligence or default of a State instrumentality, and the facts are not in genuine dispute, a Constitutional Court may award compensation as a remedy in public law. This is distinct from, and without prejudice to, any remedy in tort. The ratio of some of the authorities can be mentioned and relied upon to offer a clarity on the said proposition. In ***Rudul Sah v. State of Bihar*****,** reported in **(1983) 4 SCC 141**, compensation was directed in writ jurisdiction for unlawful detention, the Court holding that the right to enforce fundamental rights would be hollow if the remedy ended at a declaration. Similarly, in ***Bhim Singh v.***

State of J&K, reported in ***(1985) 4 SCC 677,*** monetary compensation was awarded for violation of Article 21 of the Constitution of India.

22. Further, in ***Nilabati Behera v. State of Orissa*****,** reported in **(1993) 2 SCC 746**, the Hon'ble Supreme Court held that compensation under Articles 32 and 226 of the Constitution of India is a public-law remedy based on strict liability for contravention of fundamental rights, to which the defence of sovereign immunity is not available. In ***Chairman, Railway Board v. Chandrima Das*****,** reported in **(2000) 2 SCC 465,** the Hon'ble Supreme Court upheld the compensation awarded by the Calcutta High Court in writ jurisdiction against the Railways themselves, rejecting the plea that a private-law action was the only recourse, and holding that Article 21 of the Constitution of India protects every person within the territory of India.

23. The maintenance of a level crossing and its barrier is not a sovereign function. It is an operational, commercial and safety function of a public carrier. In ***Union of India v. United India Assurance Co. Ltd.*****,** reported in **(1997) 8 SCC 683,** the Hon'ble Supreme Court held that a level crossing is on one hand a danger spot because of the movement of trains and on the other an invitation to passers-by; it is a public crossing, and the Railways is under a legal duty to ensure reasonable safety. The Right to Life guaranteed by Article 21 of the Constitution of India includes the Right to Bodily Integrity and to move about safely on a public road crossing that the State itself has invited the public to use.

24. The same remedy has been applied against the Railways by another High Court. In ***Nripen Jyoti Gogoi v. Union of India*****,** reported in **2017 SCC OnLine Gau 1099,** a Division Bench of the Gauhati High Court, on near-identical facts, assessed and directed payment of compensation of ₹36,85,484.40 by the Railways in writ jurisdiction. The Railways' Special Leave Petition against that decision (SLP No. 20644/2017) was dismissed on 19.01.2018. We do not read that dismissal as an affirmation of the law declared. We cite it as an authority which we find persuasive on its own reasoning, which accords with the Hon'ble Supreme Court's decisions above.

25. As far as the facts of the present case are concerned, the same are not in dispute. The accident, the injury and the Railways' responsibility for the barrier has been judicially determined by an unchallenged order. The case also does not call for an adjudication of complex or contested factual questions requiring oral evidence. Medical, documentary and wage evidence is on record. Nor is the petition open to the objection of delay or laches. The accident was on 08.04.2018, and the petitioner has pursued her claim without a break through three successive writ petitions, from the Railways' first rejection of 30.07.2018 to the present. The time taken is attributable to the Railways' successive changes of position and not to any inaction on her part. The petition is accordingly maintainable, and this Court is competent to determine the compensation.

26. The Railways' attempt to attribute the accident to the petitioner's "ingress" must be rejected at the

threshold. First, the Railways' own pleading admits that traffic is permitted to pass when the booms are raised to 90 degrees, and that is exactly what happened. Second, no fault in the petitioner was found in the order of 06.02.2025, which held that the accident resulted from the faulty functioning of the barrier. That finding binds the parties; the Railways, having accepted it by not challenging it, cannot resile from it in a third round of litigation by an unexplained assertion in a counter-affidavit. Third, a pillion rider has no control over the operation of a barrier, and no negligence can be attributed to her in any event. The contention is misconceived and is rejected.

27. We also note that the Railways' position has shifted at every stage: the claim was first said to belong to another forum, then the injury was called "self-inflicted", and now the petitioner is alleged to have crossed unlawfully. We say no more than that these changes of position weigh against the Railways' present contention.

28. The circular of 07.05.2013 provides a modest ex-gratia for categories of accident victims. It is a welfare gesture. It is not a measure of damages, and it is not a substitute for compensation for a negligent act of the Railways. It makes no provision for loss of earning capacity, medical expenses, pain and suffering or loss of amenities. That the circular dated 18.09.2023 may not apply to a 2018 accident is not decisive, since we are not awarding ex-gratia but compensation under Article 226 of the Constitution of India on well-settled principles of tort and public law. A sum of ₹46,250/- for a 23-year-old

woman with a permanent disability and a lost career is not compensation by any measure, and must be enhanced.

29. In assessing compensation in a Constitutional remedy, this Court is guided by the principles governing just compensation under the Motor Vehicles Act, which are the nearest settled and principled body of law for personal injury. In this regard, in view of the persuasive effect of the Gauhati High Court judgment in ***Nripen Jyoti Gogoi*** *(supra),* we take a cue from the said judgment. Therefore, this Court would rely on the judgment of ***Raj Kumar v. Ajay Kumar,*** reported in ***(2011) 1 SCC 343,*** for assessment of injury cases and functional disability; ***Sarla Verma v. DTC,*** reported in ***(2009) 6 SCC 121,*** for the multiplier; and ***National Insurance Co. Ltd. v. Pranay Sethi,*** reported in ***(2017) 16 SCC 680,*** for the future prospects. We make it clear that this Court has relied on these judgments as a guide and not as a statutory mandate.

30. It emerges from the records that the petitioner was employed in a private school, but no salary slip is on record. We cannot take the amount she earned as established. At the same time, she is a post-graduate in Sociology and was pursuing teacher training, so she cannot be treated as an unskilled worker. In the absence of proof of actual earnings, Courts adopt a notional income founded on the minimum wage for a skilled workman in the relevant State and year, as laid down in ***Kajal v. Jagdish Chand,*** reported in ***(2020) 4 SCC 413,*** and followed in ***Hitesh Nagjibhai Patel v. Bababhai Nagjibhai Rabari,*** reported in ***2025 SCC OnLine SC 3446;*** and ***Baby***

Sakshi Greola v. Manzoor Ahmad Simon, reported in ***2024 SCC OnLine SC 3692.*** In those cases the principle was applied to children and other non-earning claimants. *A fortiori*, it applies to a trained and employed woman whose earnings cannot be proved. The minimum wage for a skilled workman in Uttar Pradesh in 2018 was ₹9,381/- per month, so the annual income is ₹9,381 × 12 = **₹1,12,572/-**. We regard this as a conservative figure in light of her qualifications.

31. Further, we find that the petitioner was 23 years old. Therefore, following ***Pranay Sethi*** *(supra)*, an addition of 40% is made for persons below the age of 40 in permanent employment, and the same addition has been approved for self-employed persons and those on fixed wages. The decision does not squarely address a notionally assessed income, but we see no reason in principle why a claimant who cannot produce a salary slip should be denied the ordinary prospect of advancement, and we extend the principle to her on that footing. Forty per cent of ₹1,12,572/- is ₹45,029/-, so the annual income for computation is **₹1,57,601**.

32. Since, the petitioner was between 21 and 25 years of age at the time of the accident, we take the multiplier in ***Sarla Verma*** *(supra)* for that bracket as **18**.

33. However, we find that the CMO's certificate assesses her physical disability at 50%. As ***Raj Kumar*** *(supra)* instructs, physical disability is not the same as loss of earning capacity, and the Court must determine the effect of the disability on the claimant's ability to earn. We have

therefore examined the matter. The petitioner suffered a vertebral fracture with spinal cord injury and surgery and has traumatic paraplegia with stiffness of the spine and hip. She is advised permanent physiotherapy, and her movement is substantially restricted. Teaching, whether in a school or in training programmes, requires the capacity to travel, to stand, and to move about a classroom, and she has been left with a substantial limit on these capacities. In our considered opinion the loss of her earning capacity cannot be taken to be lower than the 50% physical disability, and we assess the functional disability at **50%**. We have noted that the contemporaneous hospital record describes Traumatic Paraplegia, whereas the certificate, issued about eighteen months after the accident and after treatment and physiotherapy, records stiffness of the spine and hip joint and assesses the disability at 50%. The certificate is the only formal assessment on record. The Railways have produced no medical evidence to the contrary and have not challenged it. We therefore adopt 50% as a conservative figure which, if anything, understates the loss.

34. Therefore, the loss of future earning capacity is computed as ₹1,57,601 × 18 = ₹28,36,818; @ 50%, ₹14,18,409/-, rounded off to **₹14,20,000**.

35. The petitioner has produced her complete treatment records. The expenditure at K.G.M.U. and Health City Hospital, including surgery, is claimed to be about ₹7,00,000. No Bills have been provided by the petitioner and at the same time the Railways have also not disputed these expenses. However, we find that the expense was an

immediate and direct consequence of the barrier's failure. Since, we also find that in the tabular chart filed along with the written submission by the petitioner, the petitioner has claimed only ₹2,50,000/-, we award the said amount in full and hold that the said amount is the minimum amount, which could have spent on the petitioner for her surgery and medical treatment at the time of accident.

36. As far as intangible losses, relating to future medical expenses, special diet and transportation expenses, Loss of income during treatment, pain and suffering, Loss of amenities, disability and disfigurement, the petitioner has claimed an amount of ₹12,50,000/-. However, keeping in view the overall facts and circumstances, we make a single lump-sum award for an amount of ₹10,00,000/-.

37. Therefore, we find that a total amount of ₹14,20,000/- plus ₹2,50,000/- plus ₹10,00,000/-, is equal to ₹26,70,000/- and is payable as compensation to the petitioner. We find the said sum of ₹26,70,000/- to be just, fair and reasonable. It is moderate in comparison to the ₹36,85,484.40 granted in ***Nripen Jyoti Gogoi*** *(supra)* on near-identical facts, and is below the ₹50,00,000/- claimed by the petitioner.

38. The petitioner has been without compensation since 2018 because the Railways first declined jurisdiction, then denied liability, and then paid a token amount, each time compelling her to approach this Court. The delay is attributable entirely to the respondents. Interest at 6% per annum is therefore awarded on the pecuniary losses, namely, loss of earning capacity and medical expenses

(₹16,70,000/-), from the date of filing of the present writ petition until payment. The non-pecuniary damages, which include sums for future treatment and are assessed as of today, carry no interest for the period before this judgment, but shall carry interest at 6% per annum if not paid within the time allowed below.

39. The sum of ₹46,250/- was paid by the Railways as ex-gratia under the 2013 circular, and not as compensation for any of the heads above. It is a gesture of welfare. We direct that it shall not be adjusted against the compensation awarded. The prayer for appointment to a suitable post cannot be granted. Public employment is governed by Articles 14 and 16 of the Constitution of India, and no mandamus can be issued for appointment without a statutory or contractual entitlement. The petitioner has no such right, and the Railways have not undertaken any scheme that would give her one. We therefore, decline this prayer. This does not prevent the petitioner from applying, as any citizen may, to any scheme or recruitment for Persons with Disability for which she is eligible, and we expect any such application to be considered fairly, having regard to her disability and her qualifications.

40. For all the aforesaid reasons, the Writ Petition is ***allowed***. The impugned orders dated 30.04.2025 and 30.05.2025 are **quashed and set aside**. The respondents shall pay the petitioner compensation of **₹26,70,000/- within four weeks from today, along with interest at 6% per annum on ₹16,70,000/- (loss of earning capacity and medical expenses) from the date of filing of this writ petition until payment, and on the**

whole sum from the expiry of the four weeks, if default is made.

41. Before parting, we note that it is a matter of regret that the Railways did not on their own volunteer a proper measure of compensation to a woman injured by their own equipment. A public body that holds itself out as a welfare institution of the nation is expected to behave as a model litigant. Instead, the petitioner was driven from forum to forum for nearly eight years and, at the end, offered a sum that bears no relation to her injury. We expect the Railways to review how such claims are examined, so that victims of failures in the maintenance of railway property, including level crossings, are not left without recourse because they were not travelling in a train. These observations are made for the Railways' consideration and form no part of the operative directions.

42. There shall be no order as to costs.

(Abdhesh Kumar Chaudhary, J.)

I agree

(Shekhar B. Saraf, J.)

November 27, 2026
Anuj Singh

Digitally signed by :-
ANUJ PRATAP SINGH
High Court of Judicature at Allahabad,
Lucknow Bench