

Chief Justice's Court

Case :- P.I.L. CIVIL No. - 12388 of 2021

Petitioner :- Saurabh Bhadauria

Respondent :- State Of U.P. Thru. Addl.Chief Secy.
Home,Lko.& Ors.

Counsel for Petitioner :- Nutan Thakur,Deepak Kumar

Counsel for Respondent :- C.S.C.

Hon'ble Sanjay Yadav,Chief Justice

Hon'ble Ritu Raj Awasthi,J.

Matter is taken up through Video Conferencing.

Ms. Nutan Thakur, learned counsel appears for petitioner.

Learned Standing Counsel for Respondents.

The petitioner by way of present petition seeks following directions:

"a. Kindly issue a Writ in the nature of Mandamus or any other appropriate writ, order or direction directing the concerned respondents to take cognizance of the various findings/recommendations of the Joint Report dated 29/08/2017 (Annexure No.1) presented by the Additional City Magistrate, Kanpur Nagar and Circle Officer, Najirabad, Kanpur Nagar and to take all appropriate legal and administrative actions as per these findings/recommendations.

b. kindly issue a Writ in the nature of Mandamus or any other appropriate writ, order or direction directing the concerned respondents to take cognizance of the various findings/recommendations of the Report dated 21/03/2018 (Annexure No.2) presented by Sri K C Goswami, then Additional Superintendent of Police, Kannauj and to take all appropriate legal and administrative actions as per the above-mentioned findings/recommendations.

c. kindly summon a copy of the finding and recommendations of the 03 member Special Investigation Team with Sri Sanjay Bhoosreddy, IAS as its Chairman, constituted by the State Government on 11/07/2020 as regards the Bikru case in Chaubepur Thana, Kanpur Nagar on 03/07/2020 and thereafter kindly issue a Writ in the nature of Mandamus or any other appropriate writ, order or direction directing the concerned respondents to take cognizance of the various findings/recommendation of this Report of Sanjay Bhoosreddy Special Investigation Team and to take all appropriate legal and administrative actions as per the above-mentioned findings/recommendations.

d. Kindly issue a Writ in the nature of mandamus or any other appropriate writ, order or direction in larger public interest."

Evidently the petition is nomenclatured as Public Interest

Litigation, however on going through entire pleadings it appears that the petitioner has approached this Court to have his personal grievance redressed through a mode of public interest litigation. The personal grudge has to be settled in accordance with law before appropriate forum and not through a litigation depicting to be a public interest.

In view whereof, we are not inclined to cause any indulgence in the matter. As the present petition is not a genuine public interest litigation, therefore it is dismissed with cost of Rs.25,000/-.

At this stage, learned counsel for the petitioner submits that she may be permitted to withdraw this petition.

Since we have already expressed ourselves that the present petition is not a public interest litigation, we are not inclined now at this stage, when the order is passed, to allow the petitioner to withdraw the same.

Petition is dismissed with cost as above.

Order Date :- 21.6.2021

N Tiwari