



FAX/Speed Post/Special Messenger

From: Registrar General,
High Court of Judicature at
ALLAHABAD.

- To:
1. The Chairman,
Bar Council of Uttar Pradesh, Allahabad.
 2. The General Secretary
Oudh Bar Association, Lucknow.
 3. The General Secretary
Lucknow Bar Association, Lucknow.
 4. The General Secretary
Central Bar Association, Lucknow.

No. PS(RG)/ 46 /2016: Allahabad

Dated: February 12, 2016

Sub:- Public Interest Litigation (PIL) No. 15895 of 2015 – In Re: Zila Adhivakta Sangh Allahabad with Contempt Application (Criminal) No. 31 of 2015 – In Re: Sri Jagdish Saraswat (Advocate) & others.

Sir/Madam,

In the above mentioned case, the Hon'ble Court has been pleased to pass the following order on 11.02.2016:-

".....
We are of the view that, having regard to the aforesaid background, it would be necessary for the Court to be fully apprised of the genesis and causes of the incident and the role and responsibilities in that regard discharged by all concerned.

We, accordingly, issue notice to the Bar Council of Uttar Pradesh through its Chairman, Oudh Bar Association, Lucknow Bar Association and the Central Bar Association. Notice to the respective Bar Associations shall be issued through their respective Secretaries.

.....
(iv) The Senior Registrar of this Court at Lucknow shall also submit a report to this Court specifically setting out the nature of the incident which took place in his chamber and shall identify the person or persons responsible for manhandling him as has been reported and for vandalizing his chambers.

At this stage, we also take notice of the fact that in the print media a member of the Bar has been photographed brandishing a pistol while in lawyer's attire. The lawyer concerned has been identified as Shri Vishal Dixit.

Pending further orders of this Court, we, as a matter of urgent necessity and in order to ensure that no breach of security takes place, issue a prohibitory order restraining Shri Vishal Dixit from entering the precincts of any Court, Tribunal or authority in the State of Uttar Pradesh without permission of the Court.

We now direct that the suo motu proceedings be placed before this Court on 18 February 2016 at 2:00 PM.

....."

A true copy of order dated 11.02.2016 is enclosed herewith for immediate compliance in letter and spirit.

Yours faithfully

Encl. As above.

Registrar General

Copy to:

1. The Principal Secretary (Judicial) & L.R. To Government of U.P., Lucknow
2. The Senior Registrar, High Court, Lucknow Bench, Lucknow.
3. All the District Judges, Subordinate to High Court.
4. System Manager, Computer Centre for displaying it on the official website of the High Court.
5. Deputy Registrar (Judicial), High Court, Allahabad.

6. Principal Secretary (Home), Govt. of U.P.,
Lko. Registrar General

IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD

CRI./CIVIL SIDE
ORIGINAL JURISDICTION

DATED ALLAHABAD THE : 11.02.2016

PRESENT

THE HON'BLE : DR.DHANANJAYA YESHWANT CHANDRACHUD,.....CJ

THE HON'BLE : RAKESH TIWARI,J.

THE HON'BLE : V.K.SHUKLA,J.

THE HON'BLE : ARUN TANDON,J.

THE HON'BLE : TARUN AGARWALA,J.

THE HON'BLE : DILIP GUPTA,J.

THE HON'BLE : SATYENDRA SINGH CHAUHAN,J.

PUBLIC INTEREST PETITION (PIL) NO.15895 OF 2015

In Re :

Vs.

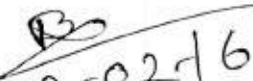
Zila Adhivakta Sangh Allahabad. Respondent.

ORDER

(Photostat copy of the Order is attached).


B.N.

Ex.


12-02-16

Chief Justice's Court

Case :- PUBLIC INTEREST LITIGATION (PIL) No. - 15895 of 2015

Petitioner :- In Re :

Respondent :- Zila Adhivakta Sangh Allahabad

Counsel for Petitioner :- Anshu Singh

Counsel for Respondent :- A.K. Bajpai, Ajai Shankar Pathak, Ashutosh Dwivedi, Ayub Khan, C S C, C.P. Upadhyay, Chandra Kumar

Singh, D.K. Tiwari, Daya Shankar Mishra, Diwakar Rai

Sharma, H.N. Singh, Hemendra Pratap Singh, Jyotish Awasthi, In Person, Mohd.

Asif, Mohit Bihari Mathur, Mumtaz Ahmad Siddiqui, P.K. Jain, Pranesh Dutt

Tripathi, R.K. Singh, Rakesh Pandey, Ratnakar Upadhyay, Ritesh

Srivastava, S.C. Mishra, Sanjay Singh, Sanjiv Kumar Pandey, Santosh Kumar

Pandey, Santosh Kumar Tripathi, Shishupal Sharma, Sudhir Dixit, Suresh

Chandra Pandey, Swetashwa Agrawal, Tahir Husain, V.C. Srivastava, Vineet

Kumar Singh, Vivek Kumar Singh

Hon'ble Dr. Dhananjaya Yeshwant Chandrachud, Chief Justice

Hon'ble Rakesh Tiwari, J.

Hon'ble V.K. Shukla, J.

Hon'ble Arun Tandon, J.

Hon'ble Tarun Agarwala, J.

Hon'ble Dilip Gupta, J.

Hon'ble Satyendra Singh Chauhan, J.

This Bench of seven Judges of this Court has been assembling on a regular basis to monitor the situation pertaining to the maintenance of security and law and order in the premises of all Courts across the State of Uttar Pradesh, including the High Court. The intervention of the High Court on a systemic level has become necessary because of increasing incidents of violence within the precincts of the Courts and serious breaches of security which threaten not merely the orderly functioning of the Court but the safety of common citizens as well as of the members of the Bar.

Media reports have appeared both in the electronic and print media in regard to instances of large scale arson and violence which took

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place at Lucknow yesterday. The incident appears to have originated in the unnatural death of a member of the Bar at Lucknow.

We are deeply concerned with the violence which has taken place during the course of which, injuries have been sustained and extensive loss and damage has been caused to public property.

The learned Advocate General has stated before the Court, on instructions, that two buses of the Uttar Pradesh State Road Transport Corporation were burnt, seven four wheelers were destroyed together with twenty motorcycles and as many as fifty seven four wheelers were extensively damaged. The Senior Registrar of this Court at Lucknow has also reported that his office was vandalized and that he was manhandled and abused by persons who appear to have been members of the Bar.

We are of the view that, having regard to the aforesaid background, it would be necessary for the Court to be fully apprised of the genesis and causes of the incident and the role and responsibilities in that regard discharged by all concerned.

We, accordingly, issue notice to the Bar Council of Uttar Pradesh through its Chairman, Oudh Bar Association, Lucknow Bar Association and the Central Bar Association. Notice to the

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respective Bar Associations shall be issued through their respective Secretaries.

In the meantime, we direct the Principal Secretary (Home) to submit a comprehensive report to this Court on the basis of footage which is available including media footage as well as after making an enquiry into the circumstances relating to the incident which took place yesterday. The report shall, in particular, also identify the person or persons responsible for acts of arson and violence. Among other things, the report shall also clarify the following:

- (i) The nature and cause of the incident which led to the violence at Lucknow on 10 February 2016;
- (ii) The nature and extent of damage to public property;
- (iii) The nature and extent, if any, of damage caused to private property;
- (iv) The person or persons responsible for the incident;
- (v) The role of the District Administration in maintaining law and order and in controlling the incidents of violence; and
- (vi) The role of the police authorities.

The report shall also indicate as to whether there was any resort to

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the use of force either by means of lathi charge or tear gas on the part of the police and the extent and circumstances in respect thereof. The report shall also indicate the action, if any, which has been taken against the persons who have been found erring or involved in the incident. The report shall also indicate whether the State police force entered the precincts of the High Court at Lucknow and if so, under whose direction and whether any resort to tear gas was made within the precincts of the High Court.

Pending further orders of the Court, we issue the following directions:

- (i) The District Administration as well as the CRPF shall take all necessary and proper steps to ensure that fire arms are strictly prohibited within the precincts of any Court across the State;
- (ii) The security of the High Court shall continue to be with CRPF as before;
- (iii) The District Administration shall take all due and proper steps to provide security cover in the parking spaces where the vehicles of lawyers are parked, so that property belonging to the lawyers is not subjected to any damage;
- (iv) The Senior Registrar of this Court at Lucknow shall also submit a report to this Court specifically setting out the nature of

the incident which took place in his chamber and shall identify the person or persons responsible for manhandling him as has been reported and for vandalizing his chambers.

At this stage, we also take notice of the fact that in the print media a member of the Bar has been photographed brandishing a pistol while in lawyer's attire. The lawyer concerned has been identified as Shri Vishal Dixit.

Pending further orders of this Court, we, as a matter of urgent necessity and in order to ensure that no breach of security takes place, issue a prohibitory order restraining Shri Vishal Dixit from entering the precincts of any Court, Tribunal or authority in the State of Uttar Pradesh without permission of the Court.

We now direct that the suo motu proceedings be placed before this Court on 18 February 2016 at 2:00 PM.

In the meantime, we direct that, having due regard to the fact that this Court has taken cognizance of the incident which took place yesterday at Lucknow as a part of the overall process of monitoring of security of all Courts across the State of Uttar Pradesh before this Bench, any petition or public interest litigation on the subject shall be held in abeyance save and except before this Bench. We

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however, grant liberty to any petitioner in any public interest litigation to move this Court with an application for intervention for being heard.

Order Date :- 11.2.2016

RKK/-

Sd. Dr D Y Chandrachud, C.J.
(Dr D Y Chandrachud, C.J)

Sd. Rakesh Tiwari, J.
(Rakesh Tiwari, J)

Sd. V K Shukla, J.
(V K Shukla, J)

Sd. Arun Tandon, J.
(Arun Tandon, J)

Sd. Tarun Agarwala, J.
(Tarun Agarwala, J)

Sd. Dilip Gupta, J.
(Dilip Gupta, J)

Sd. S S Chauhan, J.
(S S Chauhan, J)

Compared by
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12-02-16

TRUE COPY
SK [Signature]
12/2/16
Department
[Signature]