

Court No. - 32

Case :- PUBLIC INTEREST LITIGATION (PIL)
No. - 564 of 2020

Petitioner :- In Re
Respondent :- State of U.P.
Counsel for Petitioner :- Suo Moto, Ashutosh
Upadhyay, S.M. Faraz I. Kazmi

Hon'ble Shashi Kant Gupta, J.

Hon'ble Vipin Chandra Dixit, J.

By order dated 8.6.2020, the following directions were issued by this court:

- "(i) All interim orders passed by the High Court of Judicature at Allahabad well as at Lucknow, all the District Courts, Civil Courts, Family Courts, Labour Courts, Industrial Tribunals and all other Tribunals in the State over which this Court has power of superintendence, which have been expired subsequent to 19th March, 2020 or are due to expire within a period of one month from today, will continue to operate upto 26th April, 2020. We, however, make it clear that those interim orders which are not of a limited duration and are to operate till further orders will remain unaffected;*
- (ii) If the Criminal Courts in the State have granted bail orders or anticipatory bail for a limited period which are likely to expire in one month from today, the said orders will stand extended for a period of one month from today.*
- (iii) If any orders of eviction, dispossession or demolition are already passed by the High Court, District or Civil Courts, the same shall remain in abeyance for a period of one month from today;*
- (iv) Considering the fact that it will practically impossible for the citizens to approach the Courts for redressal of their grievances for a period of twenty-one days specified in the order of the Ministry of Home Affairs dated 24th March, 2020, we sincerely hope that the State Government, Municipal Authorities and the agencies and instrumentalities of the*

State Government will be slow in taking action of demolition and eviction of person."

The directions aforesaid were given in light of declaration of nation wide lockdown for a period of 21 days on 24th March, 2020. The period of lockdown was extended upto 31st May, 2020 and subsequent thereto other relaxations have been given in the term "Unlock-1". Though, the process of unlock has been started but the movement of ordinary people is yet restricted in several areas. At several stations courts too are not operational being situated in containment zone. Keeping in mind over all objective conditions, we deem it appropriate to issue following directions:-

(i) All interim orders passed by the High Court of Judicature at Allahabad well as at Lucknow, all the District Courts, Civil Courts, Family Courts, Labour Courts, Industrial Tribunals and all other Tribunals in the State over which this Court has power of superintendence, which have been expired subsequent to 19th March, 2020 or are due to expire within a period of one month from today, will continue to operate upto 29th June, 2020. We, however, make it clear that those interim orders which are not of a limited duration and are to operate till further orders will remain unaffected;

(ii) If a bail has been granted in anticipation as an interim measure for a specific period and that period is going to expire on or before 10th June, 2020, the same shall stand extended upto 29th June, 2020.

(iii) If any under trial or juvenile in conflict has been enlarged on bail through a judicial order and the period for such enlargement is going to expire on or before 14th June, 2020, the same shall stand extended upto 29th June, 2020.

(iv) If any orders of eviction, dispossession or demolition are already passed by the High Court, District or Civil Courts, the same shall remain in abeyance till 29th June, 2020 or having any order order by the court competent, whichever is earlier.

This order be published in the official website of this Court. A soft-copy of this order shall be sent to all concerned Courts and Tribunals; the learned Advocate General; the learned Additional Solicitor General of India; the learned Assistant Solicitor General of India; State Public Prosecutor and the Chairman of Bar Council of Uttar Pradesh.

Let this petition for writ be listed on 26th June, 2020."

Thereafter, as per order of Hon'ble the Chief Justice, the matter was taken up on 19.6.2020 and on that date, the direction contained in the

aforementioned order dated 8.6.2020 was extended upto 10th July, 2020.

Considering the facts and circumstances of the case, we hereby extend the aforementioned orders dated 8.6.2020 and 19.6.2020 till the next date of listing i.e. 14.7.2020.

This order be published in the official website of this Court. A soft-copy of this order shall be sent to all concerned Courts and Tribunals; the learned Advocate General; the learned Additional Solicitor General of India; the learned Assistant Solicitor General of India; State Public Prosecutor and the Chairman of Bar Council of Uttar Pradesh.

Let this case be listed on 14.7.2020.

Order Date :- 10.7.2020

MLK