

Court No. - 49

Case :- PUBLIC INTEREST LITIGATION (PIL) No. - 80 of 2025

Petitioner :- Dr Kamlendra Nath Dixit

Respondent :- State Of U.P. And 11 Others

Counsel for Petitioner :- Ashutosh Yadav, Phool Singh Yadav

Counsel for Respondent :- Azad Rai, C.S.C.

Hon'ble J.J. Munir, J.

A further personal affidavit has been filed by the District Magistrate, Fatehpur in Court today. Let it be taken on record and numbered by the office.

In his affidavit, the Collector has denied the petitioner's stand that he had ever been threatened into withdrawing the present P.I.L. and says that all actions were undertaken as per law in furtherance of public interest without targeting any individual, including the petitioner. In paragraph no. 17 of the Collector's affidavit filed today, It is averred:

"17. That the deponent, with utmost respect, humbly submits his sincere and unconditional apology to this Hon'ble Court for any inconvenience or misunderstanding that may have arisen due to the actions of the district administration. The deponent never intended to cause any interference with the petitioner's right to pursue this public interest litigation, nor was there any attempt to influence the proceedings in any improper manner. However, keeping in view the observations made by this Hon'ble Court, the deponent undertakes to be more careful in future and to ensure that all administrative actions are taken with full transparency, fairness, and in strict accordance with law. The deponent respectfully assures this Hon'ble Court that the dignity of the Court and the rights of all individuals will always be upheld."

In the closing lines of paragraph no. 17, as would be noticed, it is said by the Collector that he respectfully assures this Court that the dignity of the Court and the rights of all individuals will always be upheld.

This Court is not powerless to deal with Authorities like the Collector and vindicate our own dignity. We do not need his assurance. In employing the words that he assures the Court that the dignity of this Court will always be upheld is a covert thought that he possess the capacity to undermine or outrage our dignity. Let no one, including the Collector, Fatehpur harbour this misconception. Let him file a

further affidavit showing cause why, for these words, appropriate action be not initiated against him.

A rejoinder, in answer to the personal affidavit filed by the Collector, Fatehpur, shall be put in by the petitioner bringing on record all such evidence by which he seeks to prove his allegations recorded in our order dated 09.04.2025, which the Collector has denied.

There is a similar stand taken in the personal affidavit filed by the Superintendent of Police, Fatehpur. Let this affidavit be also taken on record and numbered by the office.

The petitioner will file a rejoinder to the personal affidavit of the Superintendent of Police, Fatehpur as well.

A personal affidavit has also been filed on behalf of the Pradhan, Gaon Sabha- Kalpur Majre Baswa, Pargana- Ekdala, Tehsil- Khaga, District- Fatehpur, who too has denied the petitioner's case and another by the Station House Officer, Police Station- Kakhru, District- Fatehpur. The Station House Officer has also contested the petitioner's claim. Let the affidavits of both the Pradhan and the Station House Officer be taken on record and numbered by the office.

Both the Pradhan, Gaon Sabha- Kalpur Majre Baswa, Pargana- Ekdala, Tehsil- Khaga, District- Fatehpur and the Station House Officer, Police Station- Kakhru, District- Fatehpur are present in Court. This Court is not satisfied with their explanation at all. Learned Counsel for the petitioner, however, is granted time to file a rejoinder affidavit in this case also.

All the rejoinders shall be filed within ten days.

Issue notice to respondent nos. 5 to 11 returnable on 06.05.2025.

Steps to serve respondent nos. 5 to 11 shall be taken within 48 hours next.

On the next date, a report regarding service and the postal track attached shall be made by the office.

Lay as **fresh** on **06.05.2025**.

To be taken up at **2.00 p.m.**

On the said date, Bachhelal Prasad, Station House Officer, Police Station- Kakhrueru, District- Fatehpur and Ramesh Singh, Pradhan, Gaon Sabha- Kalpur Majre Baswa, Pargana- Ekdala, Tehsil- Khaga, District- Fatehpur, shall **remain present** before this Court. Their prayer for exemption shall be considered on the next date scheduled.

Let this order be communicated to the District Magistrate, Fatehpur and the Superintendent of Police, Fatehpur through the learned Chief Judicial Magistrate, Fatehpur by the Registrar (Compliance) **within 24 hours**.

Order Date :- 17.4.2025
Prashant D.