

Court No. - 9

Case :- CRIMINAL MISC. WRIT PETITION No. - 5963 of 2025

Petitioner :- Shivani Yadav And Another

Respondent :- State Of U.P. Thru. Prin. Secy. Home Lko.
And Others

Counsel for Petitioner :- Himanshu Nag

Counsel for Respondent :- G.A.

Hon'ble Mrs. Sangeeta Chandra,J.

Hon'ble Brij Raj Singh,J.

Heard learned counsel for the petitioner, Sri Shailendra Singh, Advocate, who has filed his Power on behalf of respondent no. 4-informant, Sri Neeraj Kumar Baghel, who has filed his Power on behalf of Shivani Yadav, petitioner no. 1, learned AGA for the State-respondents and perused the record.

This writ petition has been filed with a prayer to issue a writ, order or direction in the nature of Mandamus, commanding the opposite party no. 1 to 3 not to harass the petitioners on the behest of opposite party no. 4 and to ensure protection of lives of the petitioner nos. 1 and 2.

The case of the petitioners is that the petitioners have married each other out of their own sweet will and family members are opposed to the said marriage and are harassing the petitioners, therefore, a mandamus be issued to the respondents not to harass the petitioners at the behest of the opposite party no. 4. A copy of marriage certificate issued by one Pragtisheel Hindu Samaj Nyas, Alambagh which runs a Vivah Kendra has been annexed as Annexure-1 to this petition containing photographs of petitioner nos. 1 and 2 therein mentioning that petitioner nos. 1 and 2 got married at Brahmastra Legal Associates, Chamber No. 31, Erstwhile C.S.C. Building, Kesarbagh, Lucknow. The name of the Purohit has been mentioned as Shri Amrish Kumar Tiwari. The signatures of Amrish Kumar Tiwari and Raghvendra Hindu, Advocate as Nyasi and Trustee of Pragtisheel Hindu Samaj Nyas, Alambagh have been shown on Marriage Certificate annexed as Annexure No. 1 to this petition.

This Court takes judicial notice of the alleged Brahamstara Legal Associates running a 'Vivah Kendra' under Pragtisheel Hindu Samaj Nyas, Alambagh at Chamber No. 31, Erstwhile C.S.C. Building within the old High Court Campus, Kesarbagh, Lucknow which has been transferred to the District Court and Lawyers Functioning therein for use as Lawyer's chamber.

The Deputy Commissioner of Police concerned and Station House Officer, Wazeerganj Police Station shall visit chamber no. 31 Erstwhile C.S.C. Building within the old

High Court Campus, Kesarbagh, Lucknow today itself and submit a report to this Court at 2:15 PM today with regard to how a 'Vivah Kendra' under Pragatisheel Hindu Samaj Nyas, Alambagh is being run from the aforesaid Chamber No. 31 which has been transferred for the use of Advocate's working in the District Court Campus.

It is also necessary to record the submissions made by Sri Neeraj Kumar Baghel, learned counsel appearing on behalf of the petitioner no. 1, who says that Shivani Yadav-petitioner no. 1 has not married Arun Kumar Yadav-petitioner no. 2 and she is residing in her parents house. No joint affidavit has been filed in support of the writ petition and she has not signed any Vakalatnama in favour of Himanshu Nag, Advocate allegedly appearing on behalf of both the petitioners.

Sri Shailendra Singh, learned counsel appearing on behalf of respondent no. 4 has also stated before this Court that the petitioner no. 1-Shivani Yadav is residing with her father-respondent no. 4 and she has not left her parental house.

Put up this matter at 2:15 PM today.

Learned AGA shall inform the Station House Officer, P.S., Wazeerganj on his mobile number or through Fax regarding the order passed today in open Court without waiting for the same to be uploaded.

Let the report be submitted by the Station House Officer, P.S. Wazeerganj today itself at 2:15 PM.

The District & Sessions Judge, Lucknow is directed to send the Administrative Officer and the Member of the Infrastructure Sub Committee of the District Court, Lucknow to take photographs, if any, of Chamber no. 31 Erstwhile C.S.C. Building within the old High Court Campus, Kesarbagh, Lucknow being run as a 'Vivah Kendra' and send the same to this Court by 2:15 PM today.

Order Date :- 8.7.2025
AKK

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Hon'ble Mrs. Sangeeta Chandra, J.

Hon'ble Brij Raj Singh, J.

1. Heard S/Sri Neeraj Kumar Baghel, Praveen Yadav and Shiv Sagar, learned counsel for the petitioners, learned AGA for the State-opposite parties no.1 to 3 and S/Sri Shyamendra Singh, Amrendra Kumar, Prashant Singh and Ms. Sara Hashmi, who have filed power on behalf of opposite party no.4, which is taken on record.

2. In pursuance of the order passed by us today in the pre-lunch session, Sri Rajesh Kumar Tripathi, Station House Officer, Police Station Wazirganj, Lucknow is present in person and he has been identified by the learned AGA. He has produced before this Court the coloured photographs of his visit to Chamber No.31 situated inside the old CSC building in Lucknow District Court Campus, where the Advocates have been allotted chambers to facilitate their practice. The coloured photographs that have been produced before this Court, have a covering note by Sri Rakesh Kumar Tripathi, Station House Officer, Police Station Wazirganj, Lucknow, which says that he had found the mobile numbers of Raghvendra Mishra Hindu and Vipin Chaurasia painted on the door. Raghvendra Mishra Hindu was contacted on his mobile number and he has stated that he is conducting marriage ceremonies inside his Chamber No.31 situated inside the old CSC building. The photography and recording of such marriage ceremonies is also being done.

3. On our direction, the Court Manager, Administrative Officer and Member of the Infrastructure Committee of the District and Sessions Judgeship, Lucknow sent the print outs on WhatsApp and the same have also been placed before this Court. From the same, it is evident that Chamber No.31 situated inside the old CSC building as aforesaid is being used by Raghvendra Mishra Hindu and Vipin Chaurasia in the name of Brahmastra Legal Associate which is printed on the door also. Copy of the Certificate of Marriage of another couple (not the petitioners herein) was found in the chamber. The officers have also taken photographs of an iron door with buntings and floral decoration and inside the chamber, allegedly such marriage ceremonies are being performed and the same was locked at the moment, but it appears to be an encroachment as it amounts to damaging the existing construction inside the old CSC building.

4. Learned counsel appearing on behalf of the petitioners has produced before this Court the print out of a photograph of petitioners no.1 and 2 exchanging the garlands in the same chamber. Mobile numbers of Raghvendra Mishra Hindu and Vipin Chaurasia, Advocates are printed on the door of Chamber No.31. They have been misusing the accommodation given inside the old CSC building by running a parallel Vivah Kendra. It appears that some Purohit is also called to conduct wedding ceremonies. However, there is no sign of any fire being lighted inside the place and in case there is no sign of fire, then it is highly doubtful that 'Saptapadi' has been performed, which is an essential ritual of any Hindu marriage. It is also not clear as to how the Brahmastra Legal Associate which is being run by Raghvendra Mishra Hindu, Advocate, has been authorised to issue any Marriage Certificate/Vivah Sanskar Patra in the name of Pragatisheel Hindu Samaj Nyas registered at Alambagh, Lucknow.

5. Counsel for the petitioners has stated that Arun Kumar Yadav, petitioner no.2 had brought before him the signed Vakalatnama allegedly having the signatures of Shivani Yadav, petitioner no.1 appended to it and he drafted the writ petition on the basis of the instructions given by his client Arun Kumar Yadav. Arun Kumar Yadav, petitioner no.2 has signed the writ petition and he has also given an affidavit in support of the said writ petition.

6. Since the affidavit is apparently false, we direct initiation of proceedings for perjury under Sections 340 and 195 of the erstwhile Code of Criminal Procedure and Indian Penal Code respectively against Arun Kumar Yadav, S/o Rajaram Yadav, petitioner no.2 and refer the matter to the Magistrate concerned. The original papers shall be sent to the Magistrate concerned for his appreciation and further action.

7. We also direct the matter to be placed before the Division Bench dealing with *suo motu* Public Interest Litigation regarding the unsavory activities being undertaken by the Advocates in District and Sessions Judgeship, Lucknow. We have taken on record all the documents that have been placed before us. We direct the Registry to place the entire matter before the nominated Division Bench to take notice and take appropriate action.

8. We ***dismiss*** this writ petition as it has not been filed by Shivani Yadav, petitioner no.1 as stated by her counsel.

9. List this matter before the appropriate Division Bench on 11.07.2025.

10. Photocopy of the record of the writ petition, all the instructions including the coloured print outs and black and white print outs of the photographs taken, shall also be retained

by the Registry for its own record.

11. Additionally, we deem it appropriate to direct the District and Sessions Judge, Lucknow to ensure the immediate vacation of Chamber No.31 by Raghvendra Mishra Hindu, and Vipin Chaurasia, Advocates and scoring out with white paint “Brahmastra Legal Associates” and “Pragatisheel Hindu Samaj Nyas” within two days. If any need be, the Station House Officer, Police Station Wazirganj, Lucknow shall provide all necessary help for forcible eviction of Raghvendra Mishra Hindu and Vipin Chaurasia, Advocates from Chamber No.31 situated inside the old CSC building.

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(Brij Raj Singh, J.) (Sangeeta Chandra, J.)

Order Date :- 8.7.2025

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