

At Residence

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

Petitioner :- In re

Respondent :- State of U.P.

Counsel for Petitioner :- Suo moto

Hon'ble Govind Mathur, Chief Justice

Hon'ble Samit Gopal, J.

By the order dated 18th March, 2020, 19th, 20th and 21st March, 2020 were declared as holidays in the High Court of Judicature at Allahabad as well as at Lucknow. The period aforesaid was extended upto 25th March, 2020 on 21st March, 2020. Subsequently, vide order dated 23rd March, 2020, keeping in view of gravity of the situation arising due to outbreak of novel coronavirus (COVID-19), the holidays were extended upto 28th March, 2020.

An address to the nation was made by the Hon'ble Prime Minister of India on 24th March, 2020 declaring nationwide lockdown for a period of 21 days. A consequential order dated 24th March, 2020 came to be issued by the Ministry of Home Affairs, Government of India. Considering the same, this Court is held at the Chief Justice's Home Office at 10:30 a.m.

As per the address of the Hon'ble Prime Minister and the order of the Home Ministry dated 24th March 2020, stringent measures will be implemented from midnight which will make it difficult for citizens to approach Courts of law and take recourse to legal remedies.

Only with the view to ensure that citizens are not deprived of their right to approach the Courts of law, we propose to exercise our jurisdiction under Articles 226 and 227 of the Constitution of

India by issuing certain directions. The directions are required to be issued to ensure that litigants should not suffer on account of their inability to approach the Courts of law. We issue the following directions:

(i) All interim orders passed by the High Court of Judicature at Allahabad as 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 be 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 persons.

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.

Order Date :- 26.3.2020
Shubham

(Samit Gopal, J.) (Govind Mathur, C.J.)