



2026:AHC:141823-DB

HIGH COURT OF JUDICATURE AT ALLAHABAD
PUBLIC INTEREST LITIGATION (PIL) No. - 1514 of 2026

Rakesh Mishra

.....Petitioner(s)

Versus

State of U.P. and 4 others

.....Respondent(s)

Counsel for Petitioner(s)	:	Pramod Bhardwaj, Vinay Kumar Upadhyay
Counsel for Respondent(s)	:	A.K. Goya, A.C.S.C.

Chief Justice's Court

HON'BLE ARUN BHANSALI, CHIEF JUSTICE
HON'BLE KSHITIJ SHAILENDRA, J.

1. This petition, purportedly in public interest, has been filed by the petitioner claiming himself to be a social activist, actively engaged in various public welfare and social service initiatives seeking a direction to the respondents to ensure expeditious conclusion of the inquiry pertaining to the allotment of tender/bids to the firms (named in the petition without impleading them) in an arbitrary and *mala fide* manner, in violation of applicable tender conditions and Government Order dated 26.11.2024 and to take appropriate action against the erring officials in accordance with law.
2. Further prayer has been made seeking a direction to withhold/stay the release of retiral dues, pensionary benefits, gratuity and all other consequential retiral benefits to respondent no. 5 during the pendency of departmental inquiry and till its logical conclusion.
3. A perusal of the record indicates that though the petitioner in the petition has claimed himself to be a social activist, essentially he is an Advocate which fact the petitioner has chosen not to disclose in the writ petition, however, the representation (Annexure-1) made by the petitioner to the Chief Minister indicates his status as an Advocate residing at Jhansi, which aspect is admitted by counsel for the petitioner.
4. The overall contents of the petition though purportedly filed in public interest, reflect that the petitioner is much aggrieved on account of cancellation of contract granted in favour of M/s Bajpai Traders and

thereafter giving it to M/s Vijaya Foundation and M/s Balaji Enterprises.

5. On a close scrutiny of the documents annexed with the petition, when the relief claimed in the representation made by the petitioner to the Chief Minister is read, the real intent is exposed. The prayer reads as under:

"अतः आपसे अनुरोध है कि संलग्न अभिलेखों का अवलोकन करते हुये दृष्टिगत अपार अनियमितताओं के आधार पर झॉसी मण्डल एवं चित्रकूट धाम मण्डल हेतु प्रकाशित की गई सन्दर्भगत दोनों निविदाओं एवं तदनुक्रम में की गई समस्त प्रक्रिया को तत्काल प्रभाव से रोकते हुये प्रश्नगत प्रकरण में प्रथम बार आमन्त्रित जेम निविदा में सिस्टम ऑटो रन L-1 टूल के माध्यम से झॉसी मण्डल एवं चित्रकूट मण्डल में चयनित मेसर्स बाजपेई ट्रेडर्स, जिससे असंवैधानिक, अनियमित एवं स्वेच्छाचारिता ढंग से संयुक्त शिक्षा निदेशक द्वारा अनुबन्ध न करते हुये निविदा निरस्तीकरण की कार्यवाही की गई, को निविदा प्रदान करने के साथ ही सम्पूर्ण प्रकरण की उच्चस्तरीय जाँच कराने तथा ऐसा अनियमित कृत्य करने वाले भ्रष्टतम संयुक्त निदेशक, श्री राजू राणा को तत्काल निलम्बित करते हुये, इनकी भूमिका की भी निष्पक्ष जाँच कराने के आदेश प्रदान करने की कृपा करें।"

(emphasis supplied)

6. The prayer made in the representation is that the contract be granted to M/s Bajpai Traders whose contract was cancelled and the same be granted to it after cancelling the contract given to others.

7. The very fact that the petitioner, an Advocate, had made a prayer for awarding contract in favour of a particular party, filing of a petition in public interest claiming himself as a social activist essentially is gross abuse of the jurisdiction of public interest litigation.

8. It is also relevant to notice here that the said M/s Bajpai Traders, had filed Writ - C No. 35330 of 2025 through the same counsel, who has filed the present PIL, which writ petition was withdrawn on 14.10.2025, whereafter another Writ - C No. 38722 of 2025 was filed which continues to remain pending wherein on 24.03.2026, the Division Bench noticed the fact that the tender already stood awarded in October, 2025 and therefore, ordered that tender awarded to the private respondent shall abide by result of the petition.

9. Whereafter, in an attempt to seek some order, apparently the present petition, purportedly in public interest, was filed in vacations on 15.06.2026 claiming urgency.

10. The fact that the petitioner in the representation made sought relief for the said M/s Bajpai Traders and the counsel representing the petitioner in the present petition had filed writ petition on behalf of said M/s Bajpai

Traders, cannot be a mere co-incidence.

11. Filing of PILs by Advocates, suppressing their status and claiming public interest, which essentially is interest of their clients, is gross abuse of process of PIL jurisdiction, which cannot be permitted.

12. Consequently, the petition is dismissed with a warning to the petitioner to mend his ways failing which, stern action would be taken.

(Kshitij Shailendra,J.) (Arun Bhansali,CJ.)

July 14, 2026

RK/Sazia