



2026:AHC-LKO:47105-DB

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

WRIT - C No. - 6896 of 2026

Biswajit Chowdhury

.....Petitioner(s)

Versus

Registrar General, High Court Of Judicature At Allahabad
And Ors.

.....Respondent(s)

Counsel for Petitioner(s)	:	In Person
Counsel for Respondent(s)	:	

Court No. - 5

**HON'BLE ALOK MATHUR, J.
HON'BLE AMITABH KUMAR RAI, J.**

Heard Shri Biswajit Chowdhury, the petitioner (appearing in person through online mode) and Shri Vijay Dixit, learned counsel for respondent Nos.1 and 2.

In the present writ petition, the petitioner has assailed the validity of the Office Memorandum dated 07.10.2015 along with all connected and consequential memoranda and administrative instructions and has prayed for a declaration that the differential treatment accorded to officials of the State Government, Union Government and instrumentalities of the State vis-à-vis ordinary citizens and litigants under the Photo Affidavit Identification Regime is arbitrary, discriminatory and violative of Article 14 of the Constitution of India.

It has been submitted by the petitioner that he had earlier approached Hon'ble Supreme Court by filing Writ Petition (Civil) No.479 of 2025 challenging the constitutional validity of the Photo Affidavit Identification Regime. Hon'ble Supreme Court, while disposing of the said petition, granted liberty to the petitioner to submit a representation before Hon'ble the Chief Justice.

Subsequently, the petitioner submitted several applications under the Right to Information Act, 2005 seeking disclosure of records, circulars, office memoranda, instructions and administrative materials relating to the legal basis, scope, operation, exemptions and continuing applicability of the Photo Affidavit Identification Regime. The central grievance raised in the petition

is that no person should be compelled to physically appear before the High Court of Judicature at Allahabad or its Lucknow Bench solely for the purpose of photo identification, which, according to the petitioner, is a mandatory precondition for filing a writ petition.

The petitioner submits that an exemption exists in favour of officials of the State Government and the Central Government, whereas an ordinary litigant is compelled to appear in person and have a photograph affixed to the affidavit submitted along with the writ petition before it can be accepted. According to the petitioner, such a regime is illegal, arbitrary, discriminatory and violative of Article 14 of the Constitution of India. In this regard, it is noticed that the applications submitted by the petitioner were duly responded by the High Court.

The queries raised by the petitioner in his application under the Right to Information Act, 2005, are as follows:

"1. Clarification on Requirement to Travel to Allahabad/Lucknow -

Is it currently mandatory, under the affidavit attestation protocol, for litigants (whether petitioners-in-person or represented by counsel) residing outside Allahabad or Lucknow to physically travel to these Benches solely to obtain photograph-based affidavit attestation?

2. Status of Office Memorandum dated 07.10.2015 -

Kindly provide a copy of any administrative circular, notification, Office Memorandum or internal order that confirms whether the instructions issued via Office Memorandum dated 07.10.2015-mandating personal appearance for photograph-based affidavit attestation-remain in force as of the date of this RTI application.

3. Acceptance of Affidavits Sworn Before Notaries Public -

Does the High Court Registry (at either Allahabad or the Lucknow Bench) currently accept affidavits that are sworn before Notaries Public (appointed under the Notaries Act, 1952) at the applicant's place of residence?

(a) If yes, kindly provide a copy of the notification/order/circular that permits this.

(b) If no, kindly clarify the reason for such non-acceptance and cite the legal

or administrative rule which such rejection is authorized.

4. Treatment of Affidavits with Photographs Taken Elsewhere-

Are affidavits that include photographs taken elsewhere but are otherwise valid and duly sworn before authorized Notaries considered defective by the Registry at the time of filing or stamp reporting?

5. Acceptance of e-Notarised Affidavits-

Whether affidavits notarised through recognized e-notarisation platforms (e.g., NotarEase), which allow video-based verification and e- signature by both the deponent and the notary, are presently accepted for filing at the Allahabad High Court (Principal Seat or Lucknow Bench)?"

The response of the Hon'ble High Court to the aforesaid queries annexed as Annexure P-11 dated 03.06.2026, is reproduced below:

".....In continuation with this Hon'ble Court's Letter No.181/RTI/AHCL/205/2025 dated 30.05.2026 and with reference to your E-mail dated 01.06.2026 regarding Second Appeal Nos.S01/A/1773/2025 and S01/A/1789/2025 preferred by you in the Hon'ble State Information Commission, you are hereby being provided the following point-wise information with respect to your specific requests made in the aforesaid E-mail dated 01.06.2026, as has been provided by the concerned authority of this Hon'ble Court at Lucknow:

With respect to Point No.1 : *Since all the nature of cases in this Hon'ble Court at Lucknow are being accepted through e-filing mode as such "the instructions for E-filing" in this Hon'ble Court duly approved by Hon'ble the Chief Justice and received vide Notice dated 16.08.2017 applies in the said cases.*

With respect to Point No.2 : *No.*

With respect to Point No. 3 : *The Stamp Reporting Section of this Hon'ble Court at Lucknow accepts all the duly sworn affidavits whether sworn through the Photo Affidavit procedure or otherwise in accordance with the provisions of the Allahabad High Court Rules, 1952, Civil Procedure Code, 1908, Criminal Procedure Code, 1973, Bharatiya Nagarik Suraksha Sanhita, 2023 and Notaries Act, 1952.*

With respect to Point No. 4 : *In this regard, the judgment dated 19.05.2025 passed by this Hon'ble Court in Writ-C No.3389 of 2025 "M/s Rajdhani Inter State Transport Co., New Delhi v. State of U.P." may be referred by you."*

A perusal of the response furnished by the High Court, particularly to Query No.3 reveals that the Stamp Reporting Section of the Lucknow Bench accepts all duly sworn affidavits whether sworn through the Photo Affidavit procedure or otherwise in accordance with the provisions of the Allahabad High Court Rules, 1952, Code of Civil Procedure, 1908, Code of Criminal Procedure, 1973, Bharatiya Nagarik Suraksha Sanhita, 2023 and Notaries Act, 1952.

Further, Shri Vijay Dixit, learned counsel for respondent nos.1 and 2, on the basis of instructions, has also informed the Court that notarized affidavits are accepted by the Stamp Reporting Section and no defects are raised regarding notarized affidavit.

Accordingly, we find that even an affidavit duly notarised anywhere in the country is accepted at the stage of filing a writ petition. Therefore, no person is mandatorily required to approach the Photo Verification Centre established in the High Court for photo verification of the affidavit at the stage of filing a writ petition.

It is further noted that during COVID-19 pandemic, e-filing rules were introduced by Hon'ble the Chief Justice. Throughout the pandemic, filings were made through the e-filing system and the said instructions duly approved by Hon'ble the Chief Justice continue to remain in force.

In sum and substance, any person desirous of filing a writ petition or any other application is required to file an affidavit along with such petition or application. Such affidavit may be notarised anywhere in the country, which clearly indicates that there is no mandatory requirement for any person to physically appear before the Photo Verification Centre at either Allahabad or Lucknow.

We further note that during the course of oral submissions, the petitioner stated that he had filed Writ Petition No.7285 of 2023 under Article 227 of the Constitution of India. No adverse report was submitted by the Registry in respect of the said petition, although the petitioner stated that he had

travelled to Allahabad to obtain photo verification and identification.

We also find that the petitioner acted upon the advice of his counsel, who had informed him that it was mandatory to travel either to Allahabad or Lucknow to obtain photo identification before a writ petition could be filed.

We do not wish to comment upon the opinion rendered by the petitioner's counsel, as such legal advice cannot be made the subject matter of adjudication in a writ petition. We can only adjudicate upon the relevant rules governing the swearing of affidavits whether through the Photo Verification Identification procedure or by way of notarised affidavits.

Accordingly, we find that once the High Court itself has categorically informed the petitioner in response to his application under the Right to Information Act, 2005 that duly notarised affidavits are accepted, we see no reason for the petitioner's insistence on pursuing the present writ petition.

Accordingly, we are of the opinion that the present writ petition is superfluous and has unnecessarily consumed the valuable time of this Court in examining the petitioner's contentions at length.

In light of the above, no interference is called for as sought by the petitioner, particularly when the High Court has already clarified that notarised affidavits are acceptable and there is no mandatory requirement of photo verification in such cases.

Accordingly, the writ petition is **dismissed**.

July 16, 2026
Mahesh

(Amitabh Kumar Rai,J.) (Alok Mathur,J.)