



2026:AHC:174652-DB

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 32693 of 2026

Imran

.....Petitioner(s)

Versus

State of Uttar Pradesh and others

.....Respondent(s)

Counsel for Petitioner(s)	:	Dinesh Kumar Singh, Namit Srivastava, Parul Srivastava, Surabhi Chandra
Counsel for Respondent(s)	:	C.S.C.

Court No. - 2

HON'BLE J.J. MUNIR, J.

HON'BLE INDRAJEET SHUKLA, J.

1. Heard learned Counsel for the petitioner and Ms. Amrita Singh, learned Additional Government Advocate appearing on behalf of the State.

2. The petitioner appears to be a busy body. He has challenged an order dated 30.03.2026 issued in favour respondent no. 5 to put up a cattle market in Gata No. 366 on the Wednesday and Saturday of each week. He has further challenged an order dated 02.12.2025, authorising the same. The petitioner says that this kind of power does not vest in the Nagar Panchayat, and has invited our attention to Section 298 of the Uttar Pradesh Municipalities Act, 1916 ('Act of 1916' for short) and List I appended to the Act of 1916 relating to bye-laws for a municipality. Particular emphasis has been placed upon Article F of List I, which reads:

List I

BYE LAWS FOR ANY (MUNICIPALITY)

F. MARKETS, SLAUGHTER-HOUSES, SALE OF FOOD, etc.

(a) prohibiting, subject to any provision of section 241, use of any place as a slaughter-house or as a market or shop for the sale of animals intended for human food or of meat or of fish, or as a market for the sale of fruit or vegetables, in default of a license granted by the (Municipality) or otherwise that in accordance with the conditions of a license so granted:-

3. A reading of the said Article F in List I clearly shows that the very fact that a Municipality, which would also mean a Nagar Panchayat, has the power of "prohibiting, subject to any provisions of section 241, use of any place as a slaughter-house or as a market or shop for sale of animals intended for human food or of meat or of fish, or as a market for the sale of fruit or vegetables,...." shows that the Nagar Panchayat has authority to license the setting up of a market to sell animals.

4. The bye-laws framed under Section 298 of the Act of 1916 speak of the Regulatory Authority of the Nagar Panchayat. If this particular Article were not there in List I, may be, the Nagar Panchayat might not have had the authority of prohibiting the use of any place as a slaughterhouse or as a market or shop for the sale of animals, but, it would not prohibit the Nagar Panchayat from permitting the setting up of a market on their land *ex contractu* in order to raise revenues.

5. Here is a case where respondent no. 7 has set up a cattle market on his own land, and for the purpose, has taken out a license from the Nagar Panchayat, because, they have regulatory powers. If they did not have those powers, respondent no. 7 could have set up that cattle market

without any license. These are the broad contours of the powers that the Nagar Panchayat would have in relation to the licensing or permission to hold a cattle market within their local limits, or holding a cattle market themselves, in the presence of a statutory provision, enabling them to regulate such markets and in a position if no such provision was there, under the Act of 1916. In both the situations, it is not the law that there has to be a specific provision designed to the last letter to authorise the licensing of a cattle market, the way learned Counsel for the petitioner wants us to understand.

6. Apart from these things, we really do not find any *locus standi* in the petitioner to question the orders impugned, granting a license in favour of respondent no. 7 to hold a cattle market.

7. In the result, this petition **fails** and stands **dismissed**.

8. There shall be no order as to costs.

9. It is clarified that the question of *vires* of any provision of the Act of 1916 has not been examined in this petition.

(Indrajeet Shukla,J.) (J.J. Munir,J.)

August 18, 2026

I. Batabyal