

Court No. - 1

Case :- MISC. BENCH No. - 22237 of 2016

Petitioner :- Lok Prahari Thru. Gen.Secy.,S.N.Shukla,I.A.S.
(Retd.)Advocate

Respondent :- State Of U.P. Thru. Chief Secretary, U.P.
Govt.,& 5 Others

Counsel for Petitioner :- S.N. Shukla (In Person)

Counsel for Respondent :- C.S.C.,A.S.G.,Abhinav N. Trivedi

Hon'ble Ritu Raj Awasthi,J.

Hon'ble Dinesh Kumar Singh,J.

The case is taken up through Video Conferencing.

The cases listed in additional cause list have been revised.

No one is present on behalf of the petitioner to press this writ.

The instant writ petition has been filed seeking following reliefs:

"1. issue a writ, order or direction, in the nature of Mandamus to respondents no.2 and 5 to consider the desirability of continuing Ministers in the lists at Annexures 3 and 4 to the WP the council of Ministers keeping in view the Constitutional expectation from the Prime Minister/Chief Minister as per the judgment of the Constitution Bench in the case of Manoj Narula.

2. issue a writ, order or direction in the nature of Mandamus to respondents no.3 and 6 to the effect that in case of failure on the part of the Prime Minister/Chief Minister to act in accordance with the constitutional expectation from him the matter may be put up to the Hon'ble President/Governor for considering withdrawal of his pleasure under Article 75 (2)/164(1) of the Constitution.

3. pass such other order or direction as may be deemed fit and proper in the circumstances of the case.

4. award the cost of this petition in favour of the Petitioner organisation."

Mr. Manish Mishra, learned Standing Counsel appearing on behalf of opposite party no.1 as well as Mr. Abhinav N. Trivedi, learned counsel appearing on behalf of the opposite party no.3 and Mr. S.M. Singh Royekwar, learned counsel appearing on

behalf of opposite party no.4 submit that for all practical purposes the writ petition has lost its efficacy as pursuant to the judgment of Apex Court in the case of ***Manoj Narula Vs. Union of India; JT 2014 (9) SC 591*** effective steps have been taken for early disposal of criminal cases against Members of Parliament and Members of Assembly. It is also submitted that the list of persons against whom removal has been sought from the council of ministers on the basis of pendency of criminal cases are no more Ministers.

In view of above, writ petition is ***dismissed*** as having become infructuous.

Order Date :- 30.6.2021

Ram.