

Court No. - 2

Hon'ble Rajan Roy,J.

Hon'ble Om Prakash Shukla,J.

ORDER

(1) Sri Adarsh Mehrotra, a practicing Advocate of this Court has brought to our knowledge a news item published in the Times of India newspaper, Lucknow today i.e. 24th April, 2024 with the heading - "8-Yr-old boy falls into a manhole, dies". The news item mentions that the boy curious about the open manhole slipped into it and ultimately died. Sri Mehrotra, Advocate has submitted that in fact as per the separate news item published in the same newspaper, it is mentioned that various manholes and ducts are lying open across the city leaving the possibility of similar incidents occurring in future. He submits that Municipal Corporation is the authority responsible for ensuring that the manholes are not open but are covered appropriately but it has not fulfilled its responsibility resulting in the aforesaid unfortunate incident. Therefore, this Court should take suo-motu cognizance of the matter and order registration of a P.I.L. accordingly, so that, the aforesaid aspect can be effectively dealt with under the supervision of this Court.

(2) We have perused the news item placed before us. This is an important matter involving interest of the public at large which requires attention of the Municipal Corporation. We

would also like to know the correct facts as to how such an incident occurred and whether there is any lapse on the part of the Municipal Authorities; whether there are other manholes or ducts in the city which are lying open, if so, what steps are being taken in this regard by the Municipal Authorities, so that life and well being of residents of this city is not endangered on account of negligence and non-performance of statutory obligation by the Municipal Corporation its officers and employees.

(3) Let a suo-motu Public Interest Litigation be registered in this regard titled as

"Suo-Motu Inre: Open Manholes and Ducts within the municipal limits of Lucknow posing a danger to life of the residents".

(4) The Municipal Corporation of Lucknow through its Commissioner and Lucknow Development Authority through its Vice-Chairman be arrayed as opposite parties in the said proceedings. Notice shall be given by the Office to Standing Counsel for the said opposite parties.

(5) After registering the P.I.L., the matter shall be placed before the appropriate Bench on Tuesday i.e. 30th April, 2024. The news item placed before us shall be kept on record of the said P.I.L. Members of the Bar are requested to provide requisite assistance to the Court in this regard.

(Om Prakash Shukla,J.) (Rajan Roy,J.)

Order Date :- 24.4.2024

Shanu/-