



**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

CRIMINAL WRIT-PUBLIC INTEREST LITIGATION No. - 4 of 2026

Anuradha Singh And Others

.....Petitioner(s)

Versus

State Of U.P. Thru. Prin. Secy. Home Lko And
Others

.....Respondent(s)

Counsel for Petitioner(s)	: Vijai Shankar Tripathi, Bal Keshwar Srivastava, Ishita Srivastava, Kuldeep Verma, Suresh Chandra Shukla, Umesh Singh
Counsel for Respondent(s)	: G.A., Adesh Kumar, Aniket Srivastav, Bal Keshwar Srivastava, Divyarth Singh Chauhan, Jyotiresh Pandey, Mrs.Suniti Sachan, Ravindra Nath Singh, Sarvesh Kumar Pandey, Shailendra Singh Chauhan, Shubham Gupta, Suresh Chandra Shukla, Susheel Kumar, Upendra Kumar Sagar, Vikalp Shukla

Court No. - 9

**HON'BLE RAJESH SINGH CHAUHAN, J.
HON'BLE RAJEEV BHARTI, J.**

1. Heard.

2. This Court has passed the order dated 08.06.2026, which reads as under:-

"1. This case was lastly listed on 25.05.2026 and the following order has been passed:-

"1. Heard learned counsel for the petitioners and office bearers of Central Bar Association, Lucknow, Lucknow Bar Association, Lucknow as well as other respective counsels of this writ petition.

2. Sri H.G.S. Parihar, learned Senior Advocate, Sri Anand Mani Tripathi, learned Senior Advocate and Pt. S. Chandra, President of Oudh Bar Association, Lucknow have appeared to assist the Court.

3. Sri Shailendra Singh Chauhan, learned counsel for the Lucknow Nagar Nigam has produced a letter dated 23.05.2026, which has been preferred by the Municipal Commissioner, Nagar Nigam, Lucknow addressed to the District Magistrate, Lucknow and Joint Commissioner of Police (Law & Order), Lucknow apprising the fact that Lucknow Nagar Nigam took required action in compliance of the order of this Court and the hindrances and obstructions created by the Advocates on 17.05.2026, the same is taken on record.

4. As per the aforesaid instructions, on Chakbast Crossing near Swasthya Bhawan, out of total 72 marked illegal encroachments, only 14 encroachments have been removed but remaining encroachments could not be removed on account of the obstructions and hindrances created by the Advocates, who were present on the spot, therefore, for making compliance of the order of this Court, the required support from administration and police has been sought.

5. After hearing the parties and considering the facts and circumstances of the issue in question, list/ put up this case on 8th June, 2026 for orders at 03:30 P.M. after obtaining appropriate order from Hon'ble the Chief Justice to constitute the Bench.

6. In the meantime, respective parties/ counsels for the respective parties may file applications/ affidavits in the Registry of this Court.”

2. D.R. (Confidential) has produced a report of the District Judge, Lucknow dated 23.05.2026 enclosing therewith the order of this Court dated 11.03.2026, letter of the District Judge dated 18.05.2026 apprising the Registrar General of this Court to the effect that the Central Bar Association, Lucknow and Lucknow Bar Association, Lucknow have resolved to abstain from work from 18.05.2026 to 20.05.2026 naming the same abstinence of work as 'Samuhik Avakash' and the resolutions of respective Bar Associations have been enclosed. Photocopies of news item published in various newspapers have also been enclosed. D.R. (Confidential) has also provided one pen-drive alongwith the report of the District Judge, which contains some videos of the meetings of the Members of the aforesaid Bar Associations and one video wherein one Advocate is distributing plastic Lathies to the Advocates. The aforesaid confidential report along with pen-drive is taken on record.

3. The District Judge has also provided the same report, which has been provided by the D.R. (Confidential) of this Court, alongwith one pen-drive showing some photographs of Advocates' strike and some videos of the meetings of the Members of the aforesaid Bar Associations, Lucknow as well as one video wherein one Advocate is distributing plastic Lathies, which are commonly used by the police personnel/ PAC personnel, to the Advocates, which is also taken on record.

4. It would be pertinent to indicate the order dated 07.08.2024 passed by this Court in Contempt Application (Criminal) No.12 of 2024 is being reproduced hereunder:-

“1. Cognizance in this contempt case was taken on a report received from District Judge, Prayagraj, indicating that between July 2023 to April, 2024 the lawyers in District Court, Prayagraj abstained from work/resorted to strike on 127 days out of total working of 218 days. The court functioned only for 41.74% days while strike was resorted to on 58.26% days. Notices were issued to the office bearers of Bar Association and other advocates responsible in the matter.

2. This Court took note of the judgment of Supreme Court in the case of Ex. Captain Harish Uppal vs. Union of India (2003) 2 SCC 45, wherein the Constitution Bench of the Court held that lawyers have no right to go on strike or even token strike or even give a call for strike. Even prior to the judgment in Ex. Captain Harish Uppal (supra) the Supreme Court in the case of Supreme Court Bar Association vs. Union

of India (1998) 4 SCC 409 held that going on strike by lawyers is not only contempt of court but also amounts to professional misconduct. This position in law has been consistently reiterated in a series of judgments of the Supreme Court, including the judgments in the case of Common Cause vs. Union of India (2006) 9 SCC 295, Krishnakant Tamrakar vs. State of M.P. (2018) 17 SCC 27, District Bar Association Dehradun through its Secretary vs. Ishwar (2020) 17 SCC 672 and In Re: Assault on Two Members of the Supreme Court Bar Association at District Court Complex, Gautam Budh Nagar (2024) SCC Online SC 1016. As the issue raised had a far reaching impact on administration of justice we requested the highest advocates body at the national and state level to assist the Court in evolving mechanism to handle the menace of strike by the advocates. In the order of the Court passed on 31.05.2024 this Court observed as under:-

“10. We also request the Chairman, Bar Council of India, Chairman, U.P. Bar Council and the President of the High Court Bar Association and the Advocates Association to assist the Court in evolving mechanism to forthwith discontinue the menace of strike in the District Courts of Uttar Pradesh. The Registrar General of the High Court of Judicature at Allahabad is also directed to obtain a report from all the District Judges of the State of Uttar Pradesh regarding the number of actual working days in a month and the corresponding days of abstinence from work/strike between 1st July, 2023 to 30th April, 2024 by the next date fixed.”

3. The matter was adjourned on 08.07.2024 and again on 16.07.2024. After hearing learned counsels appearing for the Bar Council of India and Bar Council of Uttar Pradesh as also the learned counsels appearing for the District Bar Association, Prayagraj and High Court Bar Association we issued following directions on 16.07.2024:-

“1. Pursuant to the orders passed on previous occasion learned counsels representing the Bar Council of India and Uttar Pradesh Bar Council have filed their respective affidavits.

2. The Court is informed that the Chairman of Bar Council of India has held a meeting with the respective stakeholders and a fresh meeting on the aspect relating to holding of strike in the different district courts of Uttar Pradesh is proposed to be held within next two weeks.

3. Shri Sai Girdhar, learned counsel representing the Bar Council of India informs that the Bar Council of India is committed to maintenance of peaceful working without any uncalled for strike by the lawyers and that appropriate modalities in that regard would be finalized soon. A statement is made that the Chairman, Bar Council of India will remain personally present on the next occasion to assist the Court for ensuring that strikes are not allowed in district courts.

4. The statement made on behalf of Bar Council of India has been adopted by the counsel appearing for the Uttar Pradesh Bar Council as also by Shri R. K. OJha, Senior Advocate, who represents the District Bar Association, Prayagraj.

5. We hope and trust that by the next date of listing the Bar Council of India shall ensure that appropriate decisions are taken so as to contain the menace of strike in the district courts of Uttar Pradesh.

6. As prayed by the counsel representing the Bar Council of India, list this matter on 07.08.2024, on the top of the list. In addition to the presence of the Chairman of Bar Council of India, the Presidents of the Allahabad High Court Bar Association and Advocates Association are also requested to remain present on the next date fixed.

7. Till the next date of listing, none of the Bar Associations of any district courts would resort to any strike. Holding of strike in teeth of the law laid down by the Supreme Court would be viewed as an act of *ex facie* contempt.”

4. It is in the above backdrop that the matter has been heard at length today. While Shri Sudhir Mehrotra, learned counsel has appeared for the Court; Shri Manan Kumar Mishra, learned Senior Counsel/Chairman, Bar Council of India (through virtual mode) assisted by Shri Sai Girdhar, Advocate has appeared for the highest body of advocates at national level i.e. Bar Council of India; Shri R. K. Ojha, learned Senior Counsel assisted by Shri Ashok Kumar Tiwari, Advocate has appeared for Bar Council of Uttar Pradesh and District Bar Association, Prayagraj. Other learned counsels have assisted the Court on behalf of different association of advocates.

5. The report received from the Registrar General of the Court shows that in the entire State of Uttar Pradesh judicial work in the district courts are seriously hampered on account of strike call by the advocates. The actual days of working in almost all courts are substantially curtailed thereby causing further strain on the otherwise overburdened courts in the State of Uttar Pradesh.

6. Shri M. K. Mishra, learned Senior Counsel/Chairman, Bar Council of India as also Shri R. K. Ojha, learned Senior Counsel appearing for Bar Council of Uttar Pradesh state in categorical terms that the Bar Council of India and the Bar Council of Uttar Pradesh are opposed to the lawyers going on strike and hold the direction of Supreme Court in highest esteem. Shri Mishra and Shri Ojha state that the judgment of Supreme Court holding that lawyers have no right to go on strike is the law declared by the Supreme Court by virtue of Article 141 of Constitution of India and is thus binding on all courts within the territory of India. Learned Senior Counsels for the apex body of advocates at the national level and state level unequivocally resolve to faithfully abide by and implement the direction of Supreme Court in the case of *Ex. Captain Harish Uppal (supra)* and Supreme Court Bar Association (*supra*).

7. Learned Senior Counsel appearing for Bar Council of Uttar Pradesh states that a resolution has already been passed by it to comply with the directions issued by the Supreme Court in the case of *Ex. Captain Harish Uppal (supra)*. In its resolution dated 05.11.2011 it is already resolved as under:-

“Frequent strikes are creating great disruption in the functioning of the courts and are lowering down the image of the Bar and Bench in general and Bar Council of U.P. in particular. We are at the verge of loosing our relevance and existence, if we fail to protect the functioning of the Courts and the interest of our client. In case of any local grievances, you are requested to approach the Bar Council for its redressal instead of giving call for strike. In exceptional circumstances, if we give call for protest day for one day only it should not be misunderstood as call for strike and the protest day may be observed by

showing resentment by means of press statements, T.V. interviews, carrying, banners and placards, Wearing black armbands, peaceful protest marches outside court premises etc., otherwise Bar Council will be compelled to initiate appropriate Disciplinary Proceedings against the office-bearers of Bar Associations and others found guilty of violating the above norms.

We hope and trust that brother lawyers of the State of U.P. will appreciate and strictly follow the direction contained in the Supreme Court decision in "Ex. Capt. Harish Uppal Vs. Union of India & another" and also various resolutions and guidelines issued by the Bar Council of U.P. time to time for rendering meaningful and fullest. cooperation in the functioning of the courts in the interest of public at large, justifying our existence."

8. The above resolution has been reiterated by the Bar Council of Uttar Pradesh vide its resolution dated 28.11.2022, operative portion whereof is reproduced hereinafter:-

“माननीय उच्च न्यायालय एवं माननीय हाईकोर्ट द्वारा जिला न्यायालय एवं तहसील न्यायालय में आये दिन होने वाले हड़तालों के प्रति गम्भीरता प्रकट की गयी है जिससे बार काउंसिल ऑफ उत्तर प्रदेश को यह परिपत्र जारी करना पड़ रहा है,

ताकि माननीय उच्चतम न्यायालय एवं माननीय उच्च न्यायालय द्वारा पारित आदेशों / दिशा-निर्देशों का अनुपालन सुनिश्चित हो सकें।

प्रदेश की विभिन्न अदालतों में लगातार हो रही हड़तालों ने अदालतों का कार्य प्रभावित करने के साथ-साथ मुवक्किलों की समस्या बढ़ायी है। अतः सामान्य रूप से बेंच एवं बार की गरिमा धूमिल हो रही है तथा विशेष रूप से बार काउंसिल ऑफ उत्तर प्रदेश की, जिससे हम सभी अपनी प्रासंगिकता एवं अस्तित्व खो सकते हैं। यदि कोई स्थानीय समस्या है तो सम्बन्धित पदाधिकारी, बार एसोसिएशन समस्या समाधान के लिये बार काउंसिल ऑफ उत्तर प्रदेश को अवगत करा निराकरण करवा सकते हैं, बजाय हड़ताल के आह्वान के।

उपरोक्त के परिप्रेक्ष्य में यदि बार एसोसिएशन द्वारा 01 दिन के विरोध दिवस का आह्वान किया जाता है तो उसे हड़ताल नहीं समझा जाना चाहिये तथा विरोध दिवस के दिन प्रेस स्टेटमेंट, टी०वी० न्यूज, बैनर-पोस्टर तथा बाह में काली पट्टी बांध कर कोर्ट परिसर के बाहर शांतिपूर्ण तरीके से विरोध किया जा सकता है, अन्यथा की स्थिति में बार काउंसिल ऑफ उत्तर प्रदेश द्वारा सम्बन्धित बार एसोसिएशन के पदाधिकारियों के विरुद्ध उपरोक्त आदेशों/दिशा-निर्देशों के उल्लंघन में अनुशासनात्मक कार्यवाही की जा सकती है।

हम आशा एवं विश्वास करते हैं कि बार एसोसिएशन के पदाधिकारियों द्वारा माननीय उच्चतम न्यायालय के रिपोर्टेड निर्णय 2003 (2) एस सी सी 45 एक्स कैप्टन हरीश उप्पल बनाम यूनियन ऑफ इण्डिया व अन्य एवं बार काउंसिल ऑफ उत्तर प्रदेश द्वारा जारी दिशा-निर्देशों का अक्षरशः पालन करें जिससे अदालतों का कार्य जनमानस के हित में प्रभावित न हो सके।”

9. Chairman, Bar Council of Uttar Pradesh has also resolved on 13.02.2023 that even if lawyers are holding protest on any specific day, yet the witnesses who have come to the court for deposition or are to be cross-examined etc. would not be hampered. Resolution passed in that regard is reproduced hereinafter:-

“उत्तर प्रदेश की सभी जिला न्यायालय जिला कलेक्ट्रेट, कमिश्नरी, टैक्स, तहसील न्यायालय एवं समस्त ट्रिब्यूनल के बार एसोसिएशन के अध्यक्ष/सचिव एवं अन्य पदाधिकारियों को निर्देशित किया जाता है कि विरोध दिवस के दिन किसी भी वाद में अगर कोई गवाह, गवाही/जिरह हेतु सम्मन किया गया है, तो उस वाद से सम्बन्धित अधिवक्ता को गवाही हेतु न रोकें एवं न ही उक्त वाद में किसी भी विरोध दिवस का प्रभाव डालें। साथ ही साथ यह भी निर्देशित किया जाता है कि उपरोक्त तिथि पर आये हुए गवाह का गवाही/जिरह किसी भी परिस्थिति में सम्पन्न करायें, ताकि सम्बन्धित वाद में किसी भी प्रकार का न्यायिक अवरोध उत्पन्न न हो।”

10. A further resolution no.1869/21 has been passed by the Bar Council of Uttar Pradesh in its general meeting dated 21.01.2024 that even in case of condolence the lawyers would not abstain from work but

would only hold a condolence meeting at 03.30 PM so that judicial work in the courts are not adversely affected. Resolution of the Bar Council of Uttar Pradesh in that regard is reproduced hereinafter:-

“बार काउंसिल ऑफ उत्तर प्रदेश की सामान्य बैठक दिनांक 21.01.2024 में सर्वसम्मति से निम्न प्रस्ताव पारित किया गया है।

“प्रदेश के विभिन्न बार संघों के बारे में लगातार शिकायत प्राप्त हो रही है कि जिले/तहसीलों की बार संघ द्वारा आये दिन अधिवक्ता, अधिवक्ता के माता, पिता, भाई-बहन या किसी अन्य रिश्तेदार की भी मृत्यु होने पर शोक प्रस्ताव पारित कर पूरे दिन के लिये कार्य से विरत रहने का प्रस्ताव पारित कर दिया जाता है, जिससे न्यायिक कार्य पूरी तरह से बाधित हो जाता है। माननीय उच्च न्यायालय में यदि किसी अधिवक्ता की मृत्यु होती है तो शोक सभा अपराह्न 03:30 पर किया जाता है, ताकि न्यायिक कार्यों में कोई बाधा उत्पन्न न हो। अतः उपरोक्त परिस्थितियों को दृष्टिगत रखते हुए सर्वसम्मति से निश्चय किया जाता है कि जिले / तहसीलों की प्रत्येक बार संघ को इस आशय से निर्देशित किया जाये कि सम्बन्धित जिले/तहसील के किसी अधिवक्ता की मृत्यु होने पर ही अपराह्न 03:30 बजे शोक प्रस्ताव पारित किया जाये।”

11. People of India have given to themselves the Constitution of India for their governance. The citizenry of this great country has thus pledged and resolved to be governed by the rule of law. Unless and until administration of justice is secured by the smooth and effective running of courts the rule of law cannot be ensured. If the courts are not allowed to function at its optimal level on account of frequent call of strikes by lawyers the very edifice on which the entire system rests may crumble. The law on strike has otherwise been settled by the Supreme Court in Ex. Captain Harish Uppal (supra). The apex body of the advocates at national and state level have resolved to abide by it. There is thus no reason as to why the menace of strike in courts of Uttar Pradesh can continue with impunity. Vested interests or a section of unscrupulous members at the Bar cannot be allowed to violate the law declared by the Supreme Court or the solemn resolutions of the Bar Council of India and the Bar Council of Uttar Pradesh. Time has come to take effective measures to strictly comply with the judgments of the Supreme Court banning strike by the lawyers, in letter and spirit.

12. Legal profession is otherwise recognized as a noble profession. Members of Bar through the generations have been held in high esteem for serving the society by establishing peace and order and to ensure that rights of citizens are protected by the courts. Bar members played an important role in our freedom struggle also. Most of our revered freedom fighters were actually advocates by profession.

13. People of this State have reposed faith in the Courts to resolve their dispute and protect their valuable rights guaranteed by the Constitution of India. This faith cannot be allowed to be compromised by a section of irresponsible advocates who place their own interest over and above the interest of common man. If the functioning of district judgeship is allowed to be effected in any manner it would have an adverse cascading effect of grave proportions.

14. Since the highest body of advocates constituted under the Advocates Act, 1961 at national level i.e. Bar Council of India and at state level i.e. Bar Council of Uttar Pradesh have already resolved not to go on strike, in due deference to the law declared by the Supreme Court of India, we hold that any act of individual lawyers or their association (by whatever name called) to go on strike or to give call for strike or to abstain from work in the State of Uttar Pradesh, henceforth, shall be treated as an ex facie act of

criminal contempt.

15. *Shri M. K. Mishra and Shri R. K. Ojha, learned Senior Counsels, however, submit that the lawyers at times come across genuine difficulties and hardships and since even their legitimate grievances are not considered, therefore, they are left with no option but to go on strike. It is, therefore, suggested by the learned Senior Counsels that it would be desirable and in the interest of smooth running of Courts that a 'Grievance Redressal Committee' be constituted both at different levels of the Courts i.e. the High Court and the District Courts, so that genuine grievances of lawyers and litigants are addressed without lawyers being compelled to go on strike.*

16. *We find force in the above contention advanced on behalf of the Bar Council of India and Bar Council of Uttar Pradesh. Our attention has been invited to a recent order passed by the Supreme Court in District Bar Association Dehradun (supra) wherein the Court has directed as under:-*

"3. Having heard Shri Manan Kumar Mishra, learned Senior Advocate and Chairman of the Bar Council of India, we once again reiterate that no member of the Bar can go on strike and/or abstain himself from court working. Time and again, this Court has emphasised and criticized the advocates going on strike and abstaining them from work. If the member of the Bar has any genuine grievance or the difficulty being faced because of the procedural changes in filing/listing of the matters and/or any genuine grievance pertaining to misbehave of any member of the lower judiciary they can very well make a representation and it is appropriate that their genuine grievances are considered by some forum so that such strikes can be avoided and members of the Bar who might have genuine grievances like above may ventilate their grievances. Therefore, we request all the High Courts to constitute Grievance Redressal Committee in their respective High Courts which may be headed by the Chief Justice and such a grievance redressal committee be consisting of two other senior Judges, one each from service and one from the Bar to be nominated by the Chief Justice as well as the Advocate General, Chairman of the Bar Council of the State and President of the High Court Bar Association. The High Court may also consider to constitute the similar Grievance Redressal Committee at the District Court level. It is observed that the Grievance Redressal Committee may consider the genuine grievance related to the difference of opinion or dissatisfaction because of procedural changes in filing/listing of the matters of the respective High Courts or any District Courts in their respective States and any genuine grievance pertaining misbehave of any member of the lower judiciary, provided such grievance must be genuine and not to keep the pressure on any judicial officer. The present application stands disposed of in terms of the above. I.A. No. 51257/2023 shall also stand disposed of."

17. *We are informed by Registrar General of High Court of Judicature at Allahabad, who is present in Court, that in due compliance of the aforesaid direction of the Supreme Court of India, a Grievance Redressal Committee has already been constituted at the level of High Court presided over by Honâ€™ble the Chief Justice. Following is the composition of Committee constituted by Honâ€™ble the Chief Justice:-*

“Grievance Redressal Committee:

(Constituted vide order of Hon'ble the Chief Justice dated 03.05.2023 pursuant to order dated 20.04.2023 of Hon'ble the Supreme Court passed in M.A. 859 of 2020 in SLP (C) No. 5440 of 2020)

- 1. Hon'ble the Chief Justice*
- 2. Hon'ble Mr. Justice Rajan Roy*
- 3. Hon'ble Mr. Justice Faiz Alam Khan*
- 4. Advocate General, State of Uttar Pradesh*
- 5. Chairman, Bar Council of Uttar Pradesh*
- 6. President, High Court Bar Association”*

18. Registrar General has also informed us that even at district level a Grievance Redressal Committee has been constituted presided over by the respective District Judge/Senior Additional District Judge. The composition of Grievance Redressal Committee at district level is as under:-

- “1. District Judge*
- 2. Additional District Judge-I*
 - 3. Chief Judicial Magistrate*
 - 4. D.G.C. (Civil) & (Criminal)*
 - 5. President, Bar Association of the concerned district.”*

19. Shri Manan Kumar Mishra and Shri R. K. Ojha, learned Senior Counsels submit that at district level most of the problems/issues can be resolved if representative of the district administration is also associated with the district level Grievance Redressal Committee. A suggestion is, therefore, made to include the District Magistrate or his nominee in the Grievance Redressal Committee formed at district level. To this suggestion of the Bar Council of India and Bar Council of Uttar Pradesh there is no opposition by anyone including the State Counsel present in Court.

20. We find substance in the suggestion of Shri M. K. Mishra and Shri R. K. Ojha, learned Senior Counsels that the District Magistrate or his nominee be included in the Grievance Redressal Committee at district level, so that legitimate grievance of lawyers at district level is duly addressed.

21. In that view of the matter, we request Registrar General of this Court to issue necessary directions to all District Judges throughout State of Uttar Pradesh to include District Magistrate or his nominee not below the rank of Additional District Magistrate to be a member of the Grievance Redressal Committee formed at the district level. This would make the Grievance Redressal Committee more effective in dealing with grievance of lawyers and would thereby help in smooth functioning of the courts and facilitate dispensation of justice. Ordered accordingly.

22. In light of the above deliberations and discussions, we issue following directions:-

- (i) Any act of individual lawyer(s) or their association (by whatever name called) to go on strike or to give call for strike or to abstain from work in the State of Uttar Pradesh, henceforth, shall be treated as an ex facie act of criminal contempt.*

(ii) All District Judges in the State of Uttar Pradesh shall report any act of strike by the lawyers in their respective courts to the Registrar General of this Court alongwith name of office bearers of the respective Bar Association which has given call for strike or the name of lawyers who call such strike so that appropriate proceedings of criminal contempt are instituted against them in accordance with law.

(iii) In light of the resolution already passed by the Bar Council of Uttar Pradesh on 21.01.2024, a further direction is issued to all lawyers body throughout the State of Uttar Pradesh not to abstain from work even on account of condolence due to death of lawyer/officer/employee of court or their relatives and the condolence meeting may be called only after 03.30 PM. Any violation of this direction would also be viewed as an act of *ex facie* contempt.

(iv) Above direction would be circulated to all district courts and would be displayed on the notice board of all courts throughout the State of Uttar Pradesh so as to ensure its strict compliance.

23. List this case before the appropriate Court, once again, on 25.09.2024 alongwith a report from the Registrar General of this Court regarding compliance of this order.”

5. In para-21 of the aforesaid order, this Court requested the Registrar General of this Court to issue necessary directions to all District Judges throughout State of Uttar Pradesh including District Magistrate or his nominee not below the rank of Additional District Magistrate to be a member of the Grievance Redressal Committee formed at the district level.

6. In compliance of the aforesaid direction, the Registrar General issued letter dated 07.09.2024 addressing to all the District Judges of State of Uttar Pradesh enclosing therewith copy of order dated 07.08.2024 passed by this Court in Contempt Application (Criminal) No.12 of 2024. The aforesaid letter dated 07.09.2024 issued by the Registrar General of this Court reads as under:-

“While considering the matter of strike/ abstinence from judicial work by the Advocates/ District Bar Association, Prayagraj, Hon'ble Court, in Criminal Contempt Application No. 12 of 2024 titled *In Re vs. District Bar Association of Prayagraj*, has expressed its serious concern over the issue of strike in State of Uttar Pradesh by the different Bar Associations and issued the following directions:

“(i) Any act of individual lawyer(s) or their association (by whatever name called) to go on strike or to give call for strike or to abstain from work in the State of Uttar Pradesh, henceforth, shall be treated as an *ex facie* act of criminal contempt.

(ii) All District Judges in the State of Uttar Pradesh shall report any act of strike by the lawyers in their respective courts to the Registrar General of this Court alongwith name of office bearers of the respective Bar Association which has given call for strike or the name of lawyers who call such strike so that appropriate proceedings of criminal contempt are instituted against them in accordance with law.

(iii) In light of the resolution already passed by the Bar Council of Uttar Pradesh on 21.01.2024, a further direction is issued to all lawyers body throughout the State of Uttar Pradesh not to abstain from work even on account of condolence due to death of lawyer/officer/employee of court or their relatives and the condolence meeting may be called only after 03.30 PM. Any violation of this direction would also be

viewed as an act of ex facie contempt.

(iv) Above direction would be circulated to all district courts and would be displayed on the notice board of all courts throughout the State of Uttar Pradesh so as to ensure its strict compliance."

Further, in order to make the Grievance Redressal Committee more effective in addressing the grievances of lawyers and thereby help in the smooth functioning of the courts and the facilitation of justice, you are directed to include the District Magistrate or his/her nominee, not below the rank of Additional District Magistrate, as a member of the Grievance Redressal Committee formed at the district level, as per paragraph 21 of the said order.

You are, therefore, requested to ensure compliance of the above mentioned order and forward a copy of the same to the Principal Judge(s), Family Courts, Presiding Officers of Commercial Courts, MACTS, LARRAS and the President/Secretary of Bar Associations of your districts for necessary action.

Encl.: Pdf copy of order dated 07.08.2024 passed in Criminal Contempt Application No. 12 of 2024."

7. Therefore, it is abundantly clear that all the Bar Associations of the entire Uttar Pradesh are aware about the aforesaid order being passed by this Court inasmuch as copy thereof has been supplied to all concerning authorities and office bearers of the respective Bars.

8. The Hon'ble Supreme Court in re; District Bar Association, Dehradun through its Secretary v. Ishwar Shandilya and Others, (2020) 17 SCC 672, has been pleased to direct that ultimate goal of speedy justice is now recognised as a fundamental right under Articles 14 and 21 of Constitution of India and when institution is facing a serious problem of arrears and delay in disposal of cases, such four days' strike in every month by Advocates/boycott of courts cannot be justified. In the aforesaid judgment, the Apex Court followed the dictum of the Apex Court in re; Harish Uppal v. Union of India, (2003) 2 SCC 45; Common Cause v. Union of India, (2006) 9 SCC 295 and Krishnakant Tamrakar v. State of M.P., (2018) 17 SCC 27, observing that boycotting courts on every Saturday is not justifiable at all and as such, it tantamount to contempt of courts.

9. Para-7 in re; District Bar Association, Dehradun (supra) reads as under:-

"7. As observed hereinabove, in spite of the decisions of this Court in Harish Uppal [Harish Uppal v. Union of India, (2003) 2 SCC 45] , Common Cause [Common Cause v. Union of India, (2006) 9 SCC 295 : (2006) 2 SCC (Cri) 493] and Krishnakant Tamrakar [Krishnakant Tamrakar v. State of M.P., (2018) 17 SCC 27] and despite the warnings by the courts, time and again, still, in some of the courts, the lawyers go on strikes/are on strikes. It appears that despite the strong words used by this Court in the aforesaid decisions, criticising the conduct on the part of the lawyers to go on strikes, it appears that the message has not reached. Even despite the resolution of the Bar Council of India dated 29-9-2002, thereafter, no further concrete steps are taken even by the Bar Council of India and/or the other Bar Councils of the States. A day has now come for the Bar Council of India and the Bar Councils of the States to step in and to take concrete steps. It is the duty of the Bar Councils to ensure that there is no unprofessional and unbecoming conduct by any lawyer. As observed by this Court in Harish

Uppal [Harish Uppal v. Union of India, (2003) 2 SCC 45] , the Bar Council of India is enjoined with a duty of laying down the standards of professional conduct and etiquette for the advocates. It is further observed that this would mean that the Bar Council of India ensures that the advocates do not behave in an unprofessional and unbecoming manner. Section 48 of the Advocates Act gives a right to the Bar Council of India to give directions to the State Bar Councils. It is further observed that the Bar Associations may be separate bodies but all the advocates who are members of such associations are under disciplinary jurisdiction of the Bar Councils and thus, the Bar Councils can always control their conduct. Therefore, taking a serious note of the fact that despite the aforesaid decisions of this Court, still the lawyers/Bar Associations go on strikes, we take suo motu cognizance and issue notices to the Bar Council of India and all the State Bar Councils to suggest the further course of action and to give concrete suggestions to deal with the problem of strikes/abstaining the work by the lawyers. The notices may be made returnable within six weeks from today. The Registry is directed to issue the notices to the Bar Council of India and all the State Bar Councils accordingly.”

10. In the light of what has been considered above, the Advocates, who are Members of Central Bar Association, Lucknow and Lucknow Bar Association, Lucknow have abstained from judicial work from 18.05.2026 to 26.05.2026 on the call of office bearers of the aforesaid Bar Associations, which resulted in serious prejudice to the litigants, who came to attend the court proceedings, e.g. recording their evidence as witnesses etc. and most of them are poor litigants, who suffered monetary loss also in traveling from their place to Lucknow. Besides, strike or boycott call by the Lawyers’ Association is against the various dictums of the Apex Court, so such conduct of the Advocates is not only unjustified but the same is illegal also. The Apex Court in re; Harish Uppal (supra), Common Cause (supra), Krishnakant Tamrakar (supra) and District Bar Association, Dehradun (supra) has consistently held that if the lawyers go on strike or boycott the court proceedings, a serious view shall be taken and consequence shall follow, including punishment under the Contempt of Courts Act. Strike or boycott by the lawyers shall be treated as ex-facie contempt of Court inasmuch as nobody has the right to go on strike or boycott courts. The Hon’ble Supreme Court has directed that to go on strike/ boycott courts cannot be justified under the guise of the right to freedom of speech and expression under Article 19(1)(a) of the Constitution of India. Even, such a right, if any, cannot affect the rights of others and more particularly, the right to speedy justice guaranteed under Articles 14 & 21 of the Constitution of India.

11. Notably, in the present case, the Advocates, who were very well aware about the directions being issued by the Apex Court and this Court, which have been circulated by the Registrar General of this Court through concerned District Judges that the Advocates may not go on strike or boycott the courts/ judicial proceedings, but the Advocates of Central Bar Association, Lucknow and Lucknow Bar Association, Lucknow went on strike/ boycott the court proceedings, one Advocate distributed plastic Lathies to the Advocates in a house meeting of the Advocates in the presence of their office bearers uttering slogans that the Advocates shall now handle the administration by means of these Lathies using

force upon them (on administration and police).

12. Therefore, we hereby treat the aforesaid strike/ boycott of judicial work from 18.05.2026 to 26.05.2026 unjustified and illegal and consequential orders to that effect would be issued subsequently.

13. One fact has been brought into our notice by the District Judge, Lucknow that General Secretary of Central Bar Association, Lucknow has issued show cause notices on 21.05.2026 against three Advocates, namely, (i) Sri Uttam Tripathi, Advocate, who distributed plastic Lathies to the Advocates, (ii) Sri Himanshu Mishra, Advocate, who posted and delivered baseless and misconceived speeches on social media to provoke the Advocates against administration and police and (iii) Sri Brijesh Kumar Yadav, Advocate, for his irresponsible and personal comments on the Administrative Judge, Lucknow creating unrest amongst the Advocates. The General Secretary of Central Bar Association, Lucknow has subsequently issued expulsion letter dated 04.06.2026 against Sri Uttam Tripathi, Advocate and Sri Brijesh Kumar Yadav, Advocate, expelling them for five years from primary membership of the Association considering their explanation.

14. Considering the aforesaid facts and circumstances, particularly the fact that the office bearers of Central Bar Association have taken action against two erring Advocates, therefore, at this stage, instead of initiating ex-facie criminal contempt proceedings against the office bearers of both the Bar Associations and the learned Advocates, who were indulged in illegal and unauthorized activities creating chaos and disturbance in the court premises abstaining the judicial work, notices are issued to the office bearers of both the Bar Associations as well as Sri Uttam Tripathi, Advocate (supra), Sri Himanshu Mishra, Advocate (supra) and Sri Brijesh Kumar Yadav, Advocate (supra) to show cause as to why criminal contempt proceedings may not be initiated against them and as to why their misconduct may not be referred to the Bar Council of U.P. for taking necessary action against them. The notices to the aforesaid Advocates would be served through General Secretary of Central Bar Association, Lucknow. Those Advocates shall submit their explanation within a period of two weeks supported with an affidavit giving undertaking that they shall follow the dictums of the Apex Court, which has been referred in the preceding paragraph of this order and shall maintain good conduct and behaviour in the interest of institution.

15. It is needless to say that any appropriate order would be passed after considering the explanation and undertaking of the aforesaid Advocates.

16. List this case on 27.07.2026 at 03:00 P.M. after obtaining appropriate orders from Hon'ble the Chief Justice to constitute the Bench.

17. Today, the case was listed for orders and we pronounced the order. However, it has been informed by some learned counsels that they have filed impleadment and interventions applications.

18. I.A. No.3 of 2026 is an application for intervention moved by Sri Balkeshwar Srivastava, learned Advocate, on behalf of Central Bar Association, Lucknow.

19. I.A. No.4 of 2026 and I.A. No.5 of 2026 have been filed by Sri Jyotiresh Pandey, learned Advocate,

seeking impleadment of Lucknow Bar Association, Lucknow and Central Bar Association, Lucknow in the array of opposite parties.

20. I.A. No.6 of 2026 has been filed by Ms. Tamina Khanam, learned Advocate, who appeared in person, seeking her impleadment in the array of opposite parties.

21. I.A. No.7 of 2026 is an application for intervention moved by Sri Divyarth Singh Chauhan, learned Advocate, on behalf of Lucknow Bar Association, Lucknow.

22. Objections may be filed to the aforesaid impleadment and intervention applications by the next date of listing.

23. Some more Advocates are willing to file impleadment application or supplementary affidavit seeking intervention in this matter.

24. Since this is a public interest litigation in the interest of public at large, therefore, Members of the Bar(s) are permitted to file their impleadment application or application for intervention and those applications would be considered on the next date.

25. Learned counsels for the parties have stated that copy of aforesaid applications have not been provided to them, therefore, they would not be able to file objection to the aforesaid applications.

26. Learned counsel for the applicants, who have filed the aforesaid applications, have stated that they will serve copies of aforesaid applications to all respective counsels within 48 hours.

27. Sri S.K. Singh, learned Advocate, has requested that he may be permitted to file an application for intervention.

28. On the aforesaid request, Sri S.K. Singh, learned Advocate, is also permitted to file intervention application by the next date of listing.

29. Sri S.P. Singh, learned AGA, has submitted that he will apprise the Court about the outcome of investigation in the present case by the next date of listing. "

3. Sri Jyotiresh Pandey has appeared on behalf of the Central Bar Association, Lucknow and has submitted that the issue of Advocates, who have constructed some illegal chambers on the public pathway or on the public utility land, some lenient view may be taken. Sri H.G.S. Parihar, learned Senior Advocate, assisted by Sri Divyarth Singh Chauhan, learned counsel for the President and the Secretary of Lucknow Bar Association, Lucknow has submitted that he has filed explanation of both the office bearers. The explanation of both the office bearers is on record. The explanations of office bearers of other bar association i.e. Central Bar Association, Lucknow and of other advocates have also been filed by their respective counsels. Sri Shailendra Singh Chauhan, Advocate, has appeared on behalf of Lucknow Nagar Nigam. Sri Bipul Kumar Singh,

learned State Counsel has filed instructions letter dated 25.07.2026 of Assistant Commissioner of Police, Kakori, Lucknow, the same is taken on record.

4. As per the aforesaid instructions, the investigation in Case Crime No.334 of 2025 has been completed and charge sheet has been filed under Section 324(4) of BNS against Arunima Singh alias Arunima Srivastava and against Divanshi Srivastava, it has been filed under Section 352 BNS and the charge sheet has been sent to the supervisory authority. After examination of the aforesaid charge sheet, the supervisory authority may submit the charge sheet before the court concerned.

5. Sri Shailendra Singh Chauhan, learned counsel for the Lucknow Nagar Nigam, has apprised that in compliance of the orders of this Court more than 100 chambers, which were illegally constructed, have been demolished. However, he has submitted that initially, the notice was given to 72 encroachers and out of those 72 encroachers, most of them are Advocates and some shops have also been illegally constructed in the area in question. Only 14 illegal chambers out of 72 encroached chambers/shops have been demolished and on account of some agitation of the Advocates, the remaining chambers could not be demolished. Sri Chauhan has further submitted that proper notice was served to all the aforesaid 72 encroachers but they could not explain their legal authority to maintain their legal possession over such chambers/shops. Sri Chauhan has clarified that the Advocates had not received the notice despite all possible efforts being taken by the competent authority, then the notice was pasted on the chambers and shops. Not only the above, publication of the aforesaid fact has been done by the Municipal Corporation in Hindi and English daily newspapers. Sri H.G.S. Parihar, learned Senior Advocate, has stated that he cannot defend the illegal encroachers and if any illegal and unauthorized encroachment has been done either by Advocates or by the shop keepers at the area in question, any appropriate legal action may be taken against them.

6. Sri Bal Keshwar Srivastava, learned Advocate, has also stated that he is seeking some lenient approach against the Advocates, who have illegally encroached the public pathway or the public utility land of the

Government but as an Advocate, he may not support the illegal encroachers of the area. However, he has requested that the Advocates may be provided any appropriate place for the time being till they construct their own chambers through valid way. The same request has been made by Sri Pandey, who has appeared on behalf of the Central Bar Association.

7. On being asked from Sri Shailendra Singh Chauhan as to why further steps have not been taken in compliance of the order of this Court to demolish the remaining chambers i.e. 72 chambers/shops, he has informed that 14 chambers, which were demolished out of 72 chambers/shops, some Advocates have again encroached those chambers/area sitting temporarily at that place and for doing the needful, the Municipal Corporation would be needing appropriate administrative and police support. Without their being any proper administrative and police support, the Municipal Corporation may not do the needful as the officers/officials of the Municipal Corporation would not be able to face the anguish and protest of the Advocates as in such protest, the Advocates take law in their hands. Therefore, Sri Chauhan has stated that unless and until the proper administrative and police support is not provided to the officers/officials of the Municipal Corporation, the needful exercise may not be undertaken.

8. Having considered the aforesaid submissions of learned counsel for the parties, though remaining 72 encroachers are fully aware about the fact that those chambers/ shops being illegal and unauthorized would be demolished but as an abundant precaution, we find it appropriate that all those encroachers may be given one more opportunity either to vacate those chambers/ shops or to apprise the competent authority about their valid claim to hold such chambers/ shops, failing which the illegal encroachments would be demolished. Therefore, Sri Shailendra Singh Chauhan may instruct the competent authority of the Municipal Corporation, Lucknow to serve a fresh notice to all 72 encroachers in writing within a week from today and if they do not receive such notices, the same may be pasted on the encroachment area and the publication thereof may be taken place in two daily newspapers (one in Hindi, one in English), by providing them at least ten days' time to do the needful. If the

illegal encroachers do not vacate the encroachment area and fail to explain their bonafide, particularly their valid claim to hold the chambers/shops, those chambers/ shops may be demolished. Such exercise may take place on Sunday so that the judicial work could not be hampered or disturbed. The specific date of demolition may be apprised to those encroachers so that they could cooperate in such demolition drive. It is made clear that if on the date of demolition, any encroachers or their associates adopt any illegal device or involve in any illegal activity, the needful action may be taken against them, which is permissible under the law.

9. The Commissioner of Police, Lucknow, the District Magistrate, Lucknow and the Municipal Commissioner, Lucknow shall coordinate regarding the necessary steps, which are to be taken. The appropriate administrative and police support shall be provided to the officers/officials of the Municipal Corporation and all concerning authorities shall ensure that no law and order situation is created.

10. The explanations so submitted by the office bearers of both the Bar Associations and of other Advocates would be decided on the next date. Till then, no adverse inference may be drawn against those persons only for the reason that explanations have been sought from them.

11. List this case on 10th September, 2026 at 03:00 PM after taking appropriate order from Hon'ble the Chief Justice to constitute the Bench.

(Rajeev Bharti,J.) (Rajesh Singh Chauhan,J.)

August 4, 2026
RBS/-