

Court No. - 66

Case :- MATTERS UNDER ARTICLE 227 No. - 10677 of 2023

Petitioner :- Anil Bakshi

Respondent :- State Of U.P. And 6 Others

Counsel for Petitioner :- Om Prakash Mishra, Pramod Kumar Singh

Counsel for Respondent :- G.A.

Hon'ble Vinod Diwakar, J.

1. Heard Shri Om Prakash Mishra, learned counsel for the petitioner, Shri Vaibhav Anand Singh, learned A.G.A. for the State-respondent and perused the record.

2. The present petition under Article 227 of the Constitution of India has been filed to set aside the order dated 30.10.2021 passed by Chief Judicial Magistrate, Jhansi in Criminal Misc. Case No. 301 of 2021, under Section 156(3) Cr.P.C. and judgment dated 27.06.2023 passed by Additional Sessions Judge, Court No. 2, Jhansi in Criminal Revision No. 3 of 2022 (Anil Bakshi Vs. State of U.P. and Others).

3. The petitioner claims to be a social activist and espousing the cause of general public wherever he finds illegality and such things, which are not in accordance with law.

4. Learned counsel for the petitioner submits that the management of the Cantonment Board in violation of the recruitment rules, has appointed some employees. To substantiate his argument, he has drawn attention of the Court to certain information, which he has sought under the Right To Information Act. The information sought under the Right to Information Act and supplied by the concerned Department has not been placed on record for the perusal of the Court. In fact, he has drawn attention of the Court on certain arguments, which he has lead before the First Revisional Court.

5. *Per contra*, learned A.G.A. has invited attention of the Court to the findings recorded by the Chief Judicial Magistrate, Jhansi at page 33 of the paper book, wherein it is reflected that the petitioner is an occupant of a Bungalow No. 13/63 and residing there with his family. The petitioner started unauthorized constructions in

defiance of the Cantonment Board Rules and Regulations. The then Executive Engineer stopped the unauthorized constructions and demolished the same, that is why to take revenge, the petitioner started the motivated petition against the official of Cantonment Board.

6. During the course of argument, learned counsel for the petitioner called upon to explain how many such information was sought by the petitioner under the Right To Information Act before and after filing the present petition. Learned counsel for the petitioner states that he has no such information to this effect and he cannot assist the Court in this regard.

7. On perusal of the orders passed by the courts below, this Court is of the opinion that the petitioner has prompted this litigation to settle his personal scores with the Cantonment Board. He raised unauthorized construction, which was demolished by the then Executive Engineer of the Cantonment Board and therefore he has chosen to take recourse through police to settle personal vendetta against the officials of the Cantonment Board. Additionally, no such antecedents has been revealed in the petition that the petitioner is an R.T.I. activist and taken up the Board's cause for public good.

8. The orders passed by the courts below bear no infirmities, and are thus upheld. The petition is devoid of merits and hence dismissed.

Order Date :- 1.12.2023

Shafique

(Vinod Diwakar, J.)