

Court No. - 7

Case :- WRIT - C No. - 8255 of 2023

Petitioner :- Lord Sheshnagesht Teelshwar Mahadev Virajman
Thru. Next Friend Dr.V.K. Srivastava And Others

Respondent :- Union Of India Thru. Secy. Ministry Of Culture
Govt. Of India , New Delhi And Others

Counsel for Petitioner :- Sri Shailendra Srivastava,Vijyant
Nigam

Counsel for Respondent :- A.S.G.I.,C.S.C.,Farhan
Habib,Namit Sharma,Shailendra Singh Chauhan,Syed Aftab
Ahmad

Hon'ble Manoj Kumar Gupta,Acting Chief Justice
Hon'ble Saurabh Lavania,J.

1. Heard learned counsel for the petitioners, learned Standing Counsel for the State-respondents and Sri S.B. Pandey, learned Senior Advocate & A.S.G.I., assisted by Sri Varun Pandey, learned counsel for respondent nos. 1 to 3.

2. The prayer made in the instant petition is for a direction to respondent nos. 1 to 3 to decide the representation of the petitioners dated 26.6.2023. The petitioners have also prayed for a direction to respondent nos. 4 to 10 to act upon the complaint dated 18.9.2023 submitted by petitioner nos. 4 and 5 and to ensure stoppage of illegal development/excavation being carried out by respondent nos. 12 and 13. They have also prayed for a direction to respondents to get a scientific survey/spot inspection of the disputed property conducted.

3. The case of the petitioners is that there is a Bara Imambara and around it, no construction activities within the radius of 100 meters is permissible. The private respondents are raising construction within the prohibited limits.

4. Counsel for the petitioners is not able to show any personal cause of action as would entitle the petitioners to maintain the instant petition.

5. The cause, if any, could be in public interest and in that event, the petitioners will have to disclose their credentials before the petition is entertained.

6. Consequently, we decline to examine the issues raised in the instant petition.

7. Accordingly, the instant petition is disposed of with liberty to the petitioners to avail such other remedy, as may be advised.

(Saurabh Lavania, J) (Manoj Kumar Gupta, ACJ)

Order Date :- 29.1.2024

RK