

Court No. - 1

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Case :- P.I.L. CIVIL No. - 28077 of 2021

Petitioner :- Ashok Kumar Shukla (Petitioner In Person)

Respondent :- State Of U.P.Thru Prin.Secy. Excise Deptt. Lucknow & Ors.

Counsel for Petitioner :- Ashok Kumar Shukla

Counsel for Respondent :- C.S.C.

Hon'ble Ramesh Sinha,J.

Hon'ble Vivek Varma,J.

Shri Ashok Kumar Shukla, petitioner appearing in person and Shri Manish Misra, learned Standing Counsel for State/respondent nos.1 to 6 are present.

The petitioner, **Ashok Kumar Shukla**, has filed the instant writ petition in the form of Public Interest Litigation, seeking a direction against the respondents to transfer/remove the countrymade liquor shop, foreign liquor shop and Beer Shop situate at Hari Bazar, Balaganj, Hardoi Road, Lucknow belonging to respondent no.7 to elsewhere in Balaganj, Lucknow.

Submission of the petitioner, who appears in person, is that he is practicing lawyer of this Court. He argued that respondent no.7, who is a very influential person, has a licensee liquor shop at Hari Bazar, Balaganj, Hardoi Road, Lucknow and this liquor shop is located in front of St. Joseph School, J.P.S. Children Hospital, 50 years old temple and residential area, in which small children, woman and many devotees day by day come and go.

Petitioner has also pointed out that as per Uttar Pradesh Number and Location of Excise Shops Rules, 1968, liquor shops cannot be operated within fifty meters in the municipal area but the respondent no.7 has operated her liquor shop within 25-35

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meters from St. Joseph School, J.P.S. Children Hospital, old temple and residential area at Hari Bazar, Balaganj, Hardoi Road, Lucknow in contravention of the aforesaid Rules, 1968, hence the instant public interest litigation has been filed by the petitioner.

Considering the aforesaid, learned Standing Counsel shall seek necessary instructions in the matter by the next date of listing.

Let the matter be listed again on **15.12.2021**.

(Vivek Varma, J.) (Ramesh Sinha, J.)

Order Date :- 2.12.2021

Shubhankar