



**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

WRIT - C No. - 4560 of 2026

Karmesh Pratap Singh

.....Petitioner(s)

Versus

State Of U.P. Thru. Chief Secy. U.P. Lko. And 3
Others

.....Respondent(s)

Counsel for Petitioner(s)	: Dr. Chet Narayan Singh, Bal Keshwar Srivastava
Counsel for Respondent(s)	: C.S.C., Abhinav Trivedi

Court No. - 9

**HON'BLE RAJESH SINGH CHAUHAN, J.
HON'BLE DIVESH CHANDRA SAMANT, J.**

1. This writ petition has been nominated by the Hon'ble Chief Justice vide order dated 05.06.2026 which says 'Lay/List before the Division Bench precided over by Hon'ble Rajesh Singh Chauhan, J.' Pursuant to the aforesaid order, this writ petition has been placed before us.

2. Heard Ms. Reena N. Singh, learned Advocate who appeared virtually from New Delhi, Sri Tushar Verma, learned Additional Chief Standing Counsel who appeared for opposite party no. 1, i.e., State of U.P. through Chief Secretary and Sri Abhinav Trivedi, Advocate who appeared on behalf of opposite party nos. 2 and 4, i.e., Uttar Pradesh Legislative Assembly Secretariat, U.P. and Speaker, Legislative Assembly, U.P., respectively.

3. Sri Abhinav Trivedi has raised preliminary objection regarding maintainability of this writ petition by submitting that the opposite party no. 3 is not holding the public post and has not been discharging the sovereign functions, therefore, this writ petition which is a writ of Quo Warranto may not be maintainable. He has requested that he may be given some short time to file short counter affidavit regarding maintainability of the writ petition.

4. Ms. Reena N. Singh, learned Advocate has pressed urgency in this matter by submitting that the opposite party no. 3 is holding the post

without having any color of authority and in a sheer illegal and unwarranted manner, therefore, the interim relief may be granted.

5. Notably, the opposite party no. 3 is holding the post of Principal Secretary, U.P. Legislative Assembly, Lucknow since 2012, however, learned counsel for the petitioner has stated that the opposite party no. 3 was assigned the additional charge of the aforesaid post with effect from 19.01.2009, therefore, we find it appropriate that some short time should be given to Sri Abhinav Trivedi to file short counter affidavit raising objection regarding maintainability of the writ petition.

6. Accordingly, list this petition on 06.07.2026, as fresh.

7. This matter may be taken up immediately after fresh.

8. In the meantime, short counter affidavit/counter affidavits may be filed by the opposite parties.

(Divesh Chandra Samant,J.) (Rajesh Singh Chauhan,J.)

June 5, 2026

Anurag