Chief Justice's Court

Case :- PUBLIC INTEREST LITIGATION (PIL) No. - 409 of 2025

Petitioner :- Keshar Singh and 2 others
Respondent :- State Of U.P. and 13 others
Counsel for Petitioner :- Amol Srivastava, Sunita Sharma, Vijay Chandra Srivastava, Yadvendra Rai Pandey
Counsel for Respondent :- Manish Goyal (AAG), A.K. Goyal (ACSC), Kartikeya Saran, Krishna Agarawal

Hon'ble Arun Bhansali, Chief Justice
Hon'ble Kshitij Shailendra, J.

1. This writ petition in the nature of Public Interest Litigation has been filed by the petitioners seeking following reliefs:

> "(i) issue a writ, order or direction in the nature of mandamus directing the respondents to submit a complete report of Mahakumbh all the irregularity and mismanagement accident occurred in Mahakumbh area for fixing of the liability and taking of an action against the persons who are responsible for the same;
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> (ii) issue a writ, order or direction in the nature of mandamus directing the respondents to pay adequate economical help of the persons whose family have been lost their family members during Stampede "Bhagdar" in Mahakumbh area.
>
> (iii) issue a writ, order or direction in the nature of mandamus directing the respondent no.1 to submit a C.B.I. report with regard all the incident occurred in Maha Kumbh Mela.
>
> (iv) issue any other suitable writ, order or direction which this Hon'ble Court may deem fit and proper under the facts and circumstances of the case;
>
> (v) award the costs of the petition to the petitioners."

2. Submissions have been made that during course of Mahakumbh which was organized during 13th January, 2025 to 26th February, 2025, the administration failed to discharge its duties, leading to harassment and problems faced by the devotees. Indications have been made pertaining to quality and quantity of water, the working of Pontoon Bridges, the crowed management, use of drones, mismanagement for devotees, stampede, fire incidents, the working of Shuttle buses and seeking report of budget meant for

the event, the amount spent and income generated.

3. Several submissions in regard to above aspects have been made in the petition alleging that quality and quantity of water was not sufficient across the bathing ghats, resulting in difficulties to take holy dip by the devotees, Pontoon Bridges though erected, were mostly kept closed, the crowed management was not appropriate, the drones though deployed, failed to indicate excessive crowed at certain points, devotees were made to walk long distances, stampede occurred on 29th January, 2025, leading to deaths of devotees, several fire incidents occurred during the fair period, the shuttle buses though deployed, did not cater to the need of the devotees.

4. Submissions have been made that huge budget was sanctioned and looking to the mismanagement, the respondents be directed to produce all the record before this Court.

5. Learned Additional Advocate General, at the outset, submitted that the petition as filed is not maintainable, inasmuch as the same is solely on newspapers' reports. Cuttings of various newspapers reports during the course of event have been produced for making allegations without conducting any research and/or making any effort to find out the factual position in this regard.

6. Further submissions have been made that on account of unfortunate stampede, which happened on 29.1.2025 at Mela area during Mahakumbh, State Government on 29.1.2025 itself appointed an Enquiry Commission under the provisions of the Commissions of Inquiry Act, 1952 and the terms of inquiry have been expanded by another notification dated 22.02.2025 to make it more comprehensive. The inquiry by the Commission is already in progress and the filing of the petition seeking parallel

investigation, would hamper the working of the Commission. Further submissions have been made that the reliefs, as claimed, already stand covered by the reference made to the Inquiry Commission, which has been upheld by this Court in **Suresh Chandra Pandey vs. State of Uttar Pradesh and 8 others** : Public Interest Litigation (PIL) No. 302 of 2025, decided on 24.02.2025.

7. We have considered the submissions made by learned counsel for the petitioners and learned AAG and have perused the material available on record.

8. A bare look at the reliefs claimed in the petition noticed hereinbefore reveals that the first relief sought by the petitioners with regard to 'submission of a complete report of Mahakumbh' regarding the irregularities and mismanagement, accident occurred in Mahakumbh area, fixing of the liability and taking action against persons, who are responsible for the same, is laconic inasmuch as from whom the report is being sought, has not even been indicated. The other two reliefs, pertain to stampede which occurred on 29.1.2025, seeking payment of adequate compensation to the bereaved family members and a CBI report with regard to the same, qua which not a word has been indicated in the petition indicating the basis for seeking an inquiry beyond the inquiry being conducted by the Inquiry Commission appointed under the Commissions of Inquiry Act, whose scope of inquiry as noticed in the case of **Suresh Chandra Pandey (supra)** by this Court is comprehensive enough to take care of the above reliefs claimed.

9. Foundationally, the entire petition is based on newspaper reports and newspaper cuttings, running into 19 pages.

10. The affidavit in support of the petition sworn by petitioner no.1, indicates that the averrments in the petition as true to his personal knowledge, however, nowhere in the petition, an indication has been made regarding any of the petitioners having undertaken the fact finding exercise/research in this regard.

11. It has been repeatedly laid down by Hon'ble Supreme Court that a public interest litigation petition cannot be based on newspaper reports or the reports in the magazines as the facts contained in the newspaper reports are only hearsay. Reference in this regard be made to **Kushum Lata vs. Union of India : (2006) 6 SCC 180; Rohit Pandey vs. Union of India : (2005) 13 SCC 702; Holicow Pictures (P) Ltd. vs. Prem Chandra Mishra : (2007) 14 SCC 281.**

12. Various allegations made in the petition as noticed hereinbefore, except for the unfortunate stampede which occurred, pertain to managing the affairs of the event, which as indicated in the petition, attracted innumerable devotees and tourists. The prayer made seeking holding of inquiry, at this stage, when the event is already over, appears to be an exercise in futility inasmuch as in case the petitioners, were really concerned about the difficulties being faced by the devotees during 45 days long event, they should have approached the authorities and/or should have taken recourse to other remedies for obviating their grievances, which has apparently not been done.

13. Be that as it may, the reliefs, as claimed in the petition, noticed hereinbefore, are either laconic or do not make out a case or are covered by the scope of inquiry of the Inquiry Commission as set up by the notification dated 29.1.2025, as modified on 22.2.2025.

14. Besides the above, as the petition is solely based on newspaper

reports, the same otherwise also cannot form a basis without fact finding/research on part of the petitioners, for filing a PIL.

15. In view of above discussions, there is no substance in the present PIL, the same is, therefore, **dismissed**.

Order Date :- 11.3.2025
RK

(Kshitij Shailendra, J) (Arun Bhansali, CJ)