



2026:AHC:163641

AFR

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 547 of 2024

Vemula Venkata Vinay Babu AliasPetitioner(s)
Vinay Vemula

Versus
State of U.P. and 3 othersRespondents(s)

Counsel for Petitioners(s) : Prateek Samadhiya
Counsel for Respondent(s) : C.S.C.

Court No. - 36

HON'BLE SAURABH SHYAM SHAMSHERY, J.

1. This Court has passed following order on 24.07.2026:

“1. Initially video link was not connected to petitioner-in-person appearing from Hyderabad, however, later on link was connected and petitioner-in-person has assured that he will remain present in Court in person as and when it is listed to assist the Court properly.

2. Let this matter come up on 05.08.2026 to be taken up at 12.30 PM for final hearing.

3. Registry has informed the Court that petitioner-in-person has filed various applications under Right to Information Act, 2005 seeking information related to Court proceedings of present case. Court finds that such applications would cause hindrance in the administration of

justice and therefore petitioner in person is not allowed to misuse the Act.

4. In aforesaid circumstances, it is directed that if any such application is still pending, further proceedings of said application shall be kept in abeyance till further orders. The petitioner is directed not to file any such application under RTI Act, 2005 till present matter is decided finally.

5. Similarly some vague applications are also filed in present writ petition which will be dealt strictly on next date fixed.

6. Registry is directed to place copies of all applications filed under RTI Act, 2005 on record of present case.

7. Sri Shyam Singh, learned Standing Counsel and Ms. Manjari Singh, learned counsel for respondents have referred documents on record that information sought by petitioner-in-person has already been provided.

8. In case petitioner-in-person fails to appear on next date fixed, present writ petition will be decided ex-parte.”

2. In pursuance of above order, petitioner-in-person had to appear before this Court in person, however, he has appeared through Video Conferencing, therefore, it is a case of violation of this Court's order.

3. This writ petition was initially filed through an Advocate, Sri Prateek Samadhiya on 05.01.2024. Subsequently, petitioner has filed an application dated 05.05.2025 as petitioner-in-person that he may be permitted to appear in-person and his counsel be discharged. He further prayed to allow him to appear through Video Conferencing. Petitioner-in-person has sworn the affidavit accompanying to said application at Prayagraj on 05.05.2025.

4. According to records, aforesaid IA bearing No. 3/25 was disposed off vide order dated 08.05.2025, however, petitioner's counsel was not discharged and neither any permission was granted to petitioner to appear in-person nor to appear through Video Conferencing. For reference said order is reproduced hereinafter:

“Civil Misc. (Miscellaneous) Application No. 3 of 2025

1. It is informed by Sri Prateek Samadhiya, who put his appearance in person that in spite of time granted no counter affidavit has been filed by the respondents till date.

2. In this view of the matter and also in the interest of justice, as a last opportunity four weeks' time is granted to the counsel for the respondents to file counter affidavit.

3. List this case on 8th July, 2025 before appropriate Bench.

4. The matter will be taken up immediately after recess.

5. Sri Vijay Shankar Prasad, learned Additional Chief Standing Counsel will inform regarding this order in writing to the counsel for the respondent within three days'.

6. Accordingly, application stands disposed off.”

5. Subsequently petitioner-in-person filed a Misc. Application No. 7/25 to punish Respondents-1, 3 and 4 for willful disobedience that despite an order of this Court no counter affidavit was filed on their behalf. In support of said application, petitioner-in-person has appeared before Oath Commissioner on 25.08.2025 at Prayagraj to swear an affidavit.

6. It would be relevant to mention here that a copy of a counter affidavit filed on behalf of Respondent-2 was already served upon counsel for petitioner on 30.05.2025 and it was filed in Registry on 23.05.2025.

7. Petitioner-in-person thereafter filed a rejoinder affidavit on 29.08.2025 and appeared before Oath Commissioner at Prayagraj on 29.08.2025.

9. In view of above, it cannot be said that petitioner-in-person has never come to Prayagraj or appeared before this Court rather he has come to Prayagraj on many dates.

10. In aforesaid circumstances, the Application No. 7/25 whereby petitioner-in-person has asked to punish Respondents-1, 3 and 4 for not filing counter affidavit till 25.08.2025 is liable to be dismissed since not only a counter affidavit on behalf of Respondent-2 (Commissioner, State Information Commission, U.P. Lucknow), the contesting respondent, was filed much earlier to it but a copy of same was served upon counsel for petitioner. There was a direction to file counter affidavit on behalf of State. Respondents-1, 3 and 4 were not directed to file affidavit, as such,

the aforesaid application is not only misconceived but being based on incorrect statement and contrary to record, therefore, dismissed with cost of Rs. 50,000/-.

11. Application No. 3/25 is construed only to the extent that his counsel is discharged and petitioner is permitted to appear in-person, however, an absolute right to appear only through Video Conferencing is rejected since it is not a fundamental right as claimed by petitioner-in-person in subsequent application but a mode of convenience.

12. Appearance through Video Conferencing is only to facilitate a litigant or an Advocate to expedite the adjudication. It cannot be claimed a matter of right. It is the Court's discretion to allow Video Conferencing or not. If a direction is passed by the Court to appear in-person, that has to be followed without any unreasonable excuse. However, as referred above, despite an order of this Court, petitioner-in-person has not opted to appear before this Court.

13. The Court further takes note that petitioner-in-person is habitual of making unnecessary allegations and has filed various applications under Right to Information Act. According to report presented by Deputy Registrar (R.T.I.) petitioner-in-person has filed 24 such applications between 04.06.2026 to 17.07.2026 making prayers as vague as possible, such as, to provide a legible copy of the singular unified administrative file bundle containing all internal office note sheets, official routing sheets, correspondence tracking and Action Taken Reports maintained by the Chief Justice Secretariat; to provide automated electronic display board sequence log and server backend history records; to provide physical Court attendance register, appearance memos or Bench Secretary log entries of Court; to provide session command logs for Cisco Webex; to provide automated network server log report and connection timeline sheets showing the exact login time and logout time; to provide the physical file movement register entries, transit logbooks or electronic computer tracking logs; to provide official administrative orders constitution notifications and office note sheets concerning the

temporary roster arrangements for a particular date; to provide physical Courtroom attendance register signed appearance memos or Bench Secretary log entries of the Court; to provide physical file movement register entries, transit logbooks or electronic computer tracking logs, maintained by Writ C-1 Section, Listing Section and Judicial Writ Section; to provide reasons for taking fresh supplementary list after the fresh cause list by passing daily cause list; to provide reasons why matters are marked as “Passed Over”, as well as other informations, which have no concern so far as petitioner is concerned.

14. The Court has already observed that such type of informations under Right to Information Act shall not be entertained since it not only wastes the time of employees of Court but has also caused hindrance in administration of justice. Petitioner-in-person has ample time to file various applications under Right to Information Act but to appear before this Court and argue the case on merit.

15. Today also on Video Conferencing despite Court asked that a date can be fixed at his convenience for appearance before this Court, petitioner-in-person has insisted that he will not appear in-person since has to travel about 2000 Kms away and has logistic problems. Petitioner-in-person is well aware that he can take help of State Legal Services Authority and also that his case can be heard on a fixed date and time but without any good reason he just want to avoid the Court for appearance.

16. Today an email is also placed on record which has heading “Formal Written Declaration of Protest”. Said document is not accompanied by verification either through an Oath Commissioner or through a Notary. This heading is not only vague but contemptuous also. In this document petitioner-in-person has asserted that virtual Video Conferencing is his fundamental right. As already observed, it is not a fundamental right but it is a convenience based on Court’s discretion.

17. Recently, not only Supreme Court but in various High Courts and in this High Court also there are instances that petitioner-in-person has not followed decorum of Court and acted in haste and unruly manner.

They have used the video recordings to malign the image of Courts. In order to avoid such type of incident, if petitioner-in-person has appeared in-person, the Court can appoint an Advocate on his behalf to argue the case. However, in the present case petitioner-in-person is adamant and bluntly refused to appear before this Court on ground of logistic problems, despite, as already observed, he has already come to Allahabad earlier on about 4-5 times.

18. In aforesaid circumstances, Court finds that petitioner-in-person is misusing the provisions of Right to Information Act. Therefore, his all applications seeking information under Right to Information Act are directed to be consigned to record and for 24 applications, this Court imposed a cost of Rs. 5000/- each, i.e., total Rs. 1,20,000/-.

19. Even after passing aforesaid strict orders, the Court has perused contents of writ petition with the help of learned counsel for respondents and finds that petitioner has challenged an order dated 28.07.2023 passed by Commissioner of State Information Commission, U.P., Lucknow. Though in prayer clause petitioner has declared that impugned order is annexed as Annexure-1 to the writ petition but Court finds that it is Annexure-2.

20. The appeal of petitioner was dismissed on ground that required informations have already been provided by a registered post dated 11.01.2023. In entire writ petition, petitioner has not denied that he has received informations through registered post neither the copy of said information is placed on record. The information sought by petitioner in his application dated 06.11.2022 are as follows:

“ 1. Let me know if on 22.07.2022 or 23.07.2022, Shruti Pandey or someone on behalf of Shruti Pandey from Rapti Nagar, P.S. Shahpur, District Gorakhpur called Mahila Helpline Gorakhpur of Uttar Pradesh or Regular Helpline Gorakhpur of Uttar Pradesh Police to give a complaint against me, namely Vinay Vemula.

2. If complaint was received on above dates, please give date and time when complaint was received.

3. Was above complaint found to be true?

4. Was above complaint found to be false?
5. Provide me copy of written documents given in reply by P.S.-Shahpur Station House Officer (SHO) to Circle Officer (CO) Gorakhnath, District Gorakhpur during course of investigation on my IGRS complaint number 12188220157365 dated 06.09.2022 and other complaints.
6. Let me know name and designation of officer who called me regarding complaint received by Cyber Cell Lucknow on 04.03.2022 against me, namely Vinay Vemula.
7. Let me know what is result of that inquiry regarding above complaint.
8. Let me know if 9454455598 belongs to Cyber Cell Lucknow. If no, let me know whom this number belongs to.
9. Let me know if 8840069334 belongs to Cyber Cell Lucknow. If no, let me know whom this number belongs to.
10. Let me know if 0551-2960154 belongs to Cyber Cell Lucknow. If no, let me know whom this number belongs to.”

21. The Court also perused documents annexed alongwith this writ petition that all above referred queries were replied in following manner:

- “1. दिनांक 22.07.2022 या 23.07.2022 को श्रुती पाण्डेय या श्रुती पाण्डेय की तरफ से महिला हेल्प लाइन गोरखपुर को काल करने का सम्बन्ध महिला हेल्प लाइन सम्बन्धित है तथा इसके अतिरिक्त अभिलेखों के अवलोकन से उपरोक्त से सम्बन्धित कोई लिखित प्रार्थना पत्र थाना स्थानीय पर प्राप्त होना नहीं पाया गया।
2. उपरोक्त से सम्बन्धित कोई लिखित प्रार्थना पत्र थाना स्थानीय पर प्राप्त होना नहीं पाया गया।
3. उपरोक्त से सम्बन्धित कोई लिखित प्रार्थना पत्र थाना स्थानीय पर प्राप्त होना नहीं पाया गया।
4. उपरोक्त से सम्बन्धित कोई लिखित प्रार्थना पत्र थाना स्थानीय पर प्राप्त होना नहीं पाया गया।
5. आईजीआरएस क्रमांक 12188220157365 की जाँच श्रीमान् क्षेत्राधिकारी गोरखनाथ महोदय द्वारा सम्पादित की गयी थी। यह बिन्दू कार्यालय क्षेत्राधिकारी गोरखनाथ से सम्बन्धित है।
6. दिनांक 04.03.2022 के शिकायत पर कॉल करने वाले आफिसर का सम्बन्ध साईबर सेल लखनऊ से है।
7. उपरोक्त से सम्बन्धित जाँच के परिणाम का सम्बन्ध साईबर सेल लखनऊ से है।
8. मो0नं0 9454455598 थाना स्थानीय से सम्बन्धित नहीं है।
9. मो0नं0 8840069334 थाना स्थानीय से सम्बन्धित नहीं है।
10. फोन नं0 0551-2960154 थाना स्थानीय से सम्बन्धित नहीं है।”

22. From perusal of queries and reply, referred above, it is evident that requisite information has already been provided to petitioner. He cannot insist to provide an information which is not available with concerned authorities.

23. The Court also takes note of a report annexed alongwith the writ petition that petitioner is harassing one complainant and her daughter, who has filed complaint against him and details of report was already provided.

24. In view of above, since requisite information has already been provided, therefore, there is no reason to interfere with impugned order. The writ petition is accordingly dismissed.

25. However, to discourage the persons such as petitioner-in-person, not to disturb the Court's proceedings and administration of justice, a further cost of Rs. 5,00,000/- is imposed on petitioner.

26. All the above referred costs, i.e., Rs. 50,000/-, Rs. 1,20,000/- and Rs. 5,00,000/-, total being Rs. 6,70,000/- (Rs. Six Lacs Seventy Thousand only) shall be paid by petitioner in the Bank Account of High Court Legal Service Committee within four weeks from today. In case of default, Registrar General shall take appropriate steps.

August 05, 2026
AK

(Saurabh Shyam Shamshery,J.)