

Court No. - 5

Case :- WRIT - A No. - 18956 of 2022

Petitioner :- Lavkush Tiwari and 1486 others

Respondent :- The State of U.P. and others

Counsel for Petitioner :- Aditya Prakash Verma, Shailesh Verma

Counsel for Respondent :- C.S.C.

Hon'ble J.J. Munir, J.

The personal/counter affidavits have been filed, one each of the Additional Chief Secretary (Home), Government of U.P., Lucknow, the Director General of Police, U.P., Lucknow and the Superintendent of Police, Basti. All these are taken on record. Let these be numbered by the office.

Learned Counsel for the petitioners, Mr. Aditya Prakash Verma is granted ten days' time to file a rejoinder affidavit.

Let this matter be listed in the additional cause list on **30.08.2024 at 02:00 p.m.**

In paragraph no. 18 of the affidavit, the Additional Chief Secretary (Home) has described the Hon'ble Judge, who was heading the Committee, mentioned in the said paragraph, as "Hon'ble Justice Shri J.N. Mittal".

This Court is pained to note that the description of the Hon'ble Judge, his name and protocol have all been breached. The Hon'ble Judge, to whom the reference is made in paragraph no. 18, is Mr. Justice A.N. Mittal. It is disrespectful to incorrectly name a Judge.

The other is that the protocol about reference to the Judge is also utterly flawed. The flaw is common place these days. A retired Judge is not supposed to be referred to as "Hon'ble Mr. Justice

(Retired)". The word "Retired" is not to be appended as if it were to the name of the Judge. A Judge of the High Court, after he retires, still carries with his name, the title "Mr. Justice ...". All that is to be done in case of a retired Judge is that after a reference to his name as "Mr. Justice", the words "Retired Judge" or "Retired Judge of the High Court of ..." may be mentioned. It is not that after the name "Mr. Justice...." the word "Retired" is to be suffixed. This is a fallacy, of which the Government must take note.

Still, since this is a matter of protocol, let the Registrar (Protocol) submit a report in the matter.

Let the necessary existing and past protocol guidelines on the issue, if any, be submitted along with the report to be submitted by the Registrar (Protocol).

Let this order be brought to the notice of the Registrar (Protocol) by the Registrar (Compliance).

Order Date :- 13.8.2024
Prashant D. / I. Batabyal