2026:AHC:223802

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 140 of 2026

Committee Of Management, Katyawali Dharmshala Society And Another

.....Petitioner(s)

Versus

State Of U.P. And 3 Others

.....Respondent(s)

Counsel for Petitioner(s) : J.P. Singh, Ratnesh Pratap Singh
Counsel for Respondent(s) : Aklank Kumar Jain, C.S.C., Dinesh Tiwari, Virendra Singh

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Court No. - 36

HON'BLE SAURABH SHYAM SHAMSHERY, J.

1. This Court has passed the following order before lunch which is reproduced as under-

> *1. Sri Aklank Kumar Jain, learned counsel for the respondents has placed on record a letter signed by the petitioner no.2, Sri Niwas, which is in the form of a legal notice, whereby petitioner no.2 has asked him to withdraw the written submissions which were filed on the direction of this Court. In the said letter, threat has also been extended. Letter is taken on record.*
> *2. Sri J.P.Singh, Advocate who was earlier appearing on behalf of petitioners submits that he has returned the brief considering the conduct of petitioner.*
> *3. Sri Ratnesh Pratap Singh, learned counsel for the petitioners is not present.*
> *4. In the aforesaid circumstances, Court takes serious view against the conduct of petitioner no.2.*
> *5. Let Non Bailable Warrant be issued against Sri Niwas, son of late Yadram, President, Committee of Management, Katyawali Dharmshala Society, Mohalla Bajhera, near Police Station-Achhenera, Tehsil-Kirawali, District-Agra, petitioner no.2 through concern Chief Judicial Magistrate.*
> *6. Concern Commissioner shall ensure presence of Sri Niwas, son of late Yadram, President, Committee of Management, Katyawali Dharmshala Society, Mohalla Bajhera, near Police Station-Achhenera, Tehsil-Kirawali, District-Agra, petitioner no.2 before this Court tomorrow at 12 P.M.*
> *7. Registrar General of this Court is also directed to remain present tomorrow at 12 P.M.*
> *8. Newly elected Secretary, High Court Bar Association, Allahabad shall ensure presence of Sri Ratnesh Pratap Singh, learned counsel for the petitioner tomorrow at 12 P.M.*
> *9. Put up on 28.10.2026 at 12 P.M.*
> *10. Registrar (Compliance) to take steps.*

2. Post-lunch this matter is taken up at 04:15 P.M. since Sri Niwas petitioner has

appeared personally and mentioned that he has tendered unconditional apology. His conduct cannot be condoned. Even his counsel has not support his conduct. A litigant cannot make contact with the counsel for rival party.

3. Even after observing above, in the interest of justice and taking a lenient view, the Court is not initiated proceeding against the petitioner for obstructing dispensation of justice, still it is necessary to condemn petitioner's act, since he is not a bonafide litigant.

4. Accordingly, this writ petition is dismissed with a cost of Rs.1 lakh. The petitioner shall pay the said amount within 72 hours in the High Court Bar Association, Allhabad.

(Saurabh Shyam Shamshery,J.)

October 27, 2026
Ashok Gupta

Digitally signed by :-
ASHOK KUMAR GUPTA
High Court of Judicature at Allahabad