



**HIGH COURT OF JUDICATURE AT ALLAHABAD  
WRIT - C No. - 36513 of 2012**

M/S Sharda Fuels Distributors Pvt. Ltd. And Others

.....Petitioner(s)

Versus

Central Bank Of India And Others

.....Respondent(s)

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Counsel for Petitioner(s) : Satish Mandhyan, Shiv Kumar Pal, Shree Prakash Giri, Sujeet Sinha, Sushil Kumar Pal  
Counsel for Respondent(s) : G.P. Srivastava, Gyan Prakash Shrivastava, Kaushal Kant, Siddhartha Kumar Mishra, Sunil Kumar Srivastava

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**Court No. - 5**

**HON'BLE VIKAS BUDHWAR, J.**

1. The present matter has been listed at serial no. 272. Out of turn, mention has been made by the learned counsel for the writ petitioner.

2. On 08.12.2021, the following orders were passed:

*"Heard S.P. Giri, learned counsel for the petitioners and Sri Sunil Kumar Srivastava, learned counsel for respondent- bank.*

*Issue fresh notice to respondent no. 3 returnable within four weeks. Steps be taken within three days.*

*List this case on 12.01.2022."*

3. Since the original respondent no.2, Vinod Kumar Shukla expired so a delay condonation application no. 10 of 2022 along with Substitution Application No. 11 of 2022 came to be preferred in which on 06.04.2023, the following orders were passed:

**"Civil Misc. Delay Condonation Application No. 10 of 2022**

*Heard Sri Shree Prakash Giri, learned counsel for the petitioners and Sri Sunil Kumar Srivastava, learned counsel for the respondents .*

*Learned counsel for the petitioner submitted that during pendency of application, respondent no. 2 died, therefore, he has filed substitution application along with certain delay. He further requested that application may be allowed for which learned counsel for the respondents has no objection.*

*Accordingly, Delay Condonation Application is allowed.*

*Delay in filing the substitution application is hereby condoned.*

**Civil Misc. Substitution Application No. 11 of 2022**

*In the light of order passed today upon delay condonation application, substitution application is accordingly, allowed.*

*Learned counsel for the petitioner is directed to make necessary correction in the description of respondents within one week.*

**Order on Order Sheet**

*Issue notice to newly impleaded respondent- 2/1, 2/2 & 2/3, returnable within four weeks. Steps be taken within a week.*

*List this case on 18.05.2023.*

*In the meantime, respondent No. 1 is directed to file counter affidavit within six week.*

*It is made clear that no more time shall be granted to respondent No. 1 for filing the counter affidavit."*

4. There is an office report dated 17.05.2023 which reads as under:

*"Regarding service upon respondent nos. 2/1, 2/2 and 2/3.*

*Respondent no. 2/1 & 2/3*

*As per track consignemnet status of India Post 'Item Delivery Confirmed at Prayagraj NDC on 27.04.2023'.*

*Respondent no. 2/2*

*As per track consignment status of India Post 'Item Booked at Prayagraj High Court S.O. on 22/4/23'.*

*As per CIS status (copy attached) no vakalatnama on counter affidavit has been filed from the side of respondent no. 2/1, 2/2, 2/3 as yet."*

5. Thereafter on 21.02.2024, the following orders were passed:

*"1. Learned counsel for the petitioner states that Sri Sunil Kumar Srivastava, learned counsel for the respondent has refused to take notice.*

*2. List this matter in the next cause list.*

*3. It is made clear that on the next occasion, the matter will not be adjourned on any ground and order will be passed even if Sri Sunil*

*Kumar Srivastava is not present.*

*4. Learned counsel for the petitioner is directed to serve copy of this order to Sri Sunil Kumar Srivastava, learned counsel for the respondents."*

6. Assailing the said order, a Special Leave Petition (civil) Diary No. 73317 of 2025 came to be preferred by the petitioner before the Hon'ble Apex Court being Dharmendra Kumar Sonkar v. Central Bank of India and others, in which on 10.02.2026, the following orders were passed:

*"1. Heard Mr. Babul Kumar, the learned counsel appearing for the petitioner.*

*2. A very innocuous order has been challenged before us passed by the High Court dated 21.02.2024. There is a delay of 575 days in preferring the present petition.*

*3. However, taking into consideration the fact that the writ 3. petition is pending before the High Court since 2012, we may only say that the High Court shall give some priority to the said Writ Petition and see to it that the same is disposed of finally within a period of three months from today.*

*4. With the aforesaid, the Special Leave petition is disposed of on the ground of delay as well as merits.*

*5. Pending application(s), if any, stands disposed of."*

7. Today when the matter was taken up Shri Dhananjay Yadav (A/R 1082/23) advocate, holding brief of Shri Sunil Kumar Srivastava who appears for the Central Bank of India seeks adjournment.

8. Though the name of Sri G.P. Srivastava, Sri Kaushal Kant, Sri Siddhartha Kumar Mishra are printed but nobody is present.

9. List this case on 07.04.2026 under the caption of Hon'ble Supreme Court Expedited Cases.

10. It is expected that the counsel for the parties shall advance argument on the next date fixed.

**March 30, 2026**

Ashu

**(Vikas Budhwar,J.)**