



HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. WRIT PETITION No. - 18268 of 2022

Gyan Chand Agrawal

.....Petitioner(s)

Versus

State of U.P. and others

.....Respondent(s)

Counsel for Petitioner(s) : Vinayak Mithal

Counsel for Respondent(s) : Ajay Kumar Bashist Singh, G.A., Ram
Kishore Pandey, Varad Nath

Court No. - 44

HON'BLE J.J. MUNIR, J.

HON'BLE VINAI KUMAR DWIVEDI, J.

This is a Supreme Court expedited writ petition.

On 08.01.2026, the Division Bench passed the following order:

"Sri Rishabh Agrawal, Advocate holding brief of Sri Vinayak Mithal, learned counsel for the petitioner prays for and is granted two weeks' and no more time for filing rejoinder affidavit. Sri Vinay Saran, learned Senior Counsel assisted by Sri Vihan Pandey, learned counsel for the respondent no. 3 submits that rejoinder affidavit has not been filed by the petitioner even though the counter affidavit was served upon them in January, 2025. The petitioner is deliberately delaying the proceedings.
List on 22.01.2026."

Today when the case is called on, no one appears for the petitioner. No one appears for the private respondents either.

Learned AGA is present on behalf of the State.

The writ petition is **dismissed for non-prosecution.**

After the above order was passed and before it could be signed, Mr. Rishabh Agrawal, Advocate holding brief of Mr. Vinayak Mithal, learned Counsel for the petitioner appeared and made a mention that Mr. Mithal has some personal difficulty.

Considering that in the order dated 08.01.2026, their Lordships have already remarked that the petitioner was deliberately delaying proceedings, we were not inclined to adjourn the matter, but upon Mr. Agrawal's request that he would argue the matter positively next week, we adjourn the same to **29.01.2026**, but subject to payment of costs in the sum of Rs. 5000/-, which shall be deposited in the account of the Registrar, Allahabad High Court Mediation and Conciliation Centre.

List on **29.01.2026**.

(Vinai Kumar Dwivedi, J.) (J.J. Munir, J.)

January 22, 2026

Deepak