



HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 40052 of 2025

Zaheer Usman

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s) : Mumtaj Alam, Sachchida Nand Ojha,
Vikas Srivastava

Counsel for Opposite Party(s) : G.A.

Court No. - 39

(Sl.No.251)

HON'BLE ANISH KUMAR GUPTA, J.

Order on Time Extension Application

1. Since the original application has already been dismissed for non-deposit, therefore, the application for time extension is misconceived and accordingly dismissed.

Order on Restoration Application

2. Vide order dated 15.10.2025, the matter was referred to the mediation center subject to deposit of Rs.55,000/- by way of demand draft by the applicant herein before the mediation center within a period of two weeks from the date of the order. It was also stipulated in the order dated 15.10.2025 that if the applicant fails to deposit the aforesaid amount, the instant application shall stand dismissed without further reference to the Court. Admittedly the applicant has failed to deposit the aforesaid amount within the period prescribed and to this effect a report was submitted by the mediation center on 06.12.2025. Accordingly the instant petition was dismissed.

3. Learned counsel for the applicant submits that though the demand draft was prepared well within the period of two weeks, however the same could not be deposited due to inadvertence and subsequently when the demand draft was tendered, it was not accepted. He has also shown the demand draft of Rs.55,000/- which is ready to be deposited, drawn on

28.01.2026.

4. In view thereof, the instant restoration application is **allowed** and the applicant herein is permitted to deposit the aforesaid demand draft dated 28.01.2026 within a period of one week from today.

5. On such deposit of the demand draft by the applicant, the instant application is restored and all the conditions stipulated in the order dated 15.10.2025 shall revive. On such deposit, the notices will be issued to the opposite party no.2 for mediation proceedings which shall be carried out within three months.

Order on Application U/S 528 BNSS

6. Put up this matter on 25.05.2026.

(Anish Kumar Gupta,J.)

February 20, 2026

Ashish Pd.