



2026:UHC:1211-DB

IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL

**HON'BLE THE CHIEF JUSTICE SRI MANOJ KUMAR GUPTA
AND**

HON'BLE SRI JUSTICE SUBHASH UPADHYAY

24TH FEBRUARY, 2026

SPECIAL APPEAL No. 343 OF 2023

Amit Gola.

...Appellant

Versus

Union of India and others.

...Respondents

Counsel for the appellant. : Mr. Amit Gola, appellant, party-in-person.

Counsel for respondent no. 1. : Mr. Rajesh Sharma, learned CGSC for the Union of India.

Counsel for respondent nos. 3 & 4. : Mr. L.K. Tiwari, learned counsel.

JUDGMENT : (per Sri Manoj Kumar Gupta, C.J.)

1. The present intra-court appeal is directed against the order dated 04.08.2023, passed by the learned Single Judge on the Review Applications (MCC No. 06/2023 & MCC No. 07/2023), whereby the Review Applications filed by the appellant, for reviewing of the main order dated 21.03.2023, passed in Writ Petition (M/S) No. 1946/2021, dismissing the Writ Petition, was rejected.

2. On 15.12.2023, a Coordinate Bench passed the following order, and thereby disposed of the Appeal :

“1. Mr. Amit Gola, appellant, in-person.

2. Mr. Rajesh Sharma, learned Standing Counsel for the Union of India.

3. Mr. P.C. Petshali, learned counsel holding brief of Mr. L.K. Tiwari, learned counsel for respondent nos.3 & 4.



4. *During the course of argument, the appellant submits that he may be permitted to withdraw the present special appeal with liberty to file afresh.*

5. *In view of this, the appeal is dismissed as withdrawn with the liberty to the appellant, as prayed for.*

6. *Pending application, if any, also stands disposed of."*

3. It appears that, on basis of the aforesaid liberty, the appellant has filed Special Appeal No. 09/2024, wherein again prayer was made to set-aside the order dated 04.08.2023, passed by learned Single Judge in Review Applications filed in Writ Petition (M/S) No. 1946/2021. Although, along with the said Special Appeal, the appellant also annexed the main order dated 21.03.2023, passed in Writ Petition (M/S) No. 1946/2021, but there was no specific challenge advanced to the said order.

4. Special Appeal No. 09/2024 aforesaid, has been disposed of by a Coordinate Bench by order dated 26.06.2024, which is as follows :

"Mr. Amit Gola, appellant, present in person.

2. *Mr. Rajesh Sharma, learned CGSC, for the respondent no.1.*

3. *Mr. L.K. Tiwari, learned counsel, for the respondent nos.3 and 4.*

4. *Mr. Vikram Singh Dhapola, learned counsel, for the respondent no.6.*

5. *After hearing the learned counsels for the parties, the order dated 15.12.2023 is recalled, keeping in view that the appellant does not want to file any fresh petition.*

6. *In view of the above, this appeal is being disposed of."*

5. The effect of the order dated 26.06.2024, passed in Special Appeal No. 09/2024, is that the order dated



2026:UHC:1211-DB

15.12.2023, passed in Special Appeal No. 343/2023, stood recalled.

6. As noted above, the present intra-court appeal seeks to challenge only the order passed on the Review Applications. Learned Single Judge, while rejecting the Review Applications, has observed that there was no error apparent on the face of record to allow the Review Applications.

7. Learned counsel for the appellant, who has appeared in person, tried to show error in the main order passed by the learned writ court, but, which definitely was beyond the scope of the Review Petition – the order passed wherein is under challenge in the present intra-court appeal.

8. As such, we find no merits in the instant intra-court appeal. It is, accordingly, rejected.

9. All pending applications stand disposed of accordingly.

MANOJ KUMAR GUPTA, C.J.

SUBHASH UPADHYAY, J.

Dt: 24th February, 2026

Rahul

RAHUL
PRAJAPATI