HIGH COURT OF JUDICATURE AT ALLAHABAD

SPECIAL APPEAL No. - 1214 of 2026

Adihm Infrastructure Private Limited

.....Appellant(s)

Versus

State of U.P. and another

.....Respondent(s)

Counsel for Appellant(s)	:	Tarun Agrawal (Sr. Advocate), Prakhar Saran Srivastava
Counsel for Respondent(s)	:	Ramanand Pandey (A.C.S.C.)

Chief Justice's Court

HON'BLE ARUN BHANSALI, CHIEF JUSTICE
HON'BLE KSHITIJ SHAILENDRA, J.

1. This appeal is directed against order dated 22.09.2026 passed by learned Single Judge in Writ C No. 38165 of 2026 whereby, though the learned Single Judge came to the conclusion that the matter required consideration, granted time to the State to file counter affidavit and to the petitioner to file rejoinder and the matter was ordered to be listed before the Court and on the application seeking interim relief, it was directed that in the event any recovery is effected, the same shall remain subject to the final outcome of the present petition.

2. Learned counsel for the appellant with reference to order passed in **Logix Infra Development Private Limited Vs. State of U.P. and another : Special Appeal No. 793 of 2026**, decided on 02.09.2026 made submissions that the subject matter of the writ petition was identical to the subject matter of Writ C No. 22095 of 2026 from which Special Appeal No. 793 of 2026 arose wherein, direction was to deposit 25% of the entire outstanding amount, after hearing the parties and referring to the judgement of Hon'ble Supreme Court in **Government of Andhra Pradesh and others Vs. Smt. P. Laxmi Devi : (2008) 4 SCC 720** and **Har Devi Asani Vs. State of Rajasthan : (2011) 14 SCC 160**, setting aside the order passed by learned Single Judge, it was ordered that during the pendency of the writ petition, the recovery pursuant to the order passed by the authority, shall remain stayed and, therefore, in the present case also, learned Single Judge was not justified in not granting any

interim order.

3. Learned Standing Counsel is not in a position to dispute that the issue as raised in the present writ petition before the learned Single Judge is similar to Writ C No. 22095 of 2026 from which Special Appeal No. 793 of 2026 arose and that several other writ petitions, raising the identical issue, are pending consideration before the learned Single Judge, wherein interim orders have been granted.

4. In that view of the matter, following the order in the case of **Logix Infra Development Private Limited** (supra), the present appeal is **allowed**.

5. The order dated 22.09.2026, passed by learned Single Judge in Writ C No. 38165 of 2026 is modified to the extent that instead of making the recovery subject to the final outcome of the writ petition, it is directed that during the pendency of the writ petition, recovery pursuant to the order dated 20.04.2026 passed by Additional District Magistrate (Finance and Revenue), Division Meerut, District Gautam Budh Nagar in Case No. 1995 of 2014, shall remain stayed.

6. The writ petition be connected to Writ C No. 22095 of 2026.

(Kshitij Shailendra,J.) (Arun Bhansali,CJ.)

October 28, 2026
Sandeep/Jyotsana

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