



2026:AHC-LKO:21857

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

MATTERS UNDER ARTICLE 227 No. - 1163 of 2026

Manoj Kapoor

.....Petitioner(s)

Versus

Amit Kumar Singh And 2 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Tushar Mittal,	Madhur Jhavar,
		Ramendra Yadav	
Counsel for Respondent(s)	:		

Court No. - 5

HON'BLE ALOK MATHUR, J.

1. Heard Sri Gaurav Mehrotra, learned Senior Counsel assisted by Sri Utkarsh Vardhan, Singh, learned counsel for petitioner.
2. In light of the proposed order, notices to private respondents are dispensed with.
3. It has been submitted by learned counsel for the petitioner that a complaint was filed by respondent No. 1 before the U.P. State Consumer Dispute Redressal, Lucknow (hereinafter referred to as the State Commission) seeking a direction to the respondents therein to allot any alternative Villa bearing same specification and rate under any other scheme of opp. Parties which is complete in all respect and to pay interest at the rate of 18% on the deposited amount of complainant from the dates of deposit till the actual delivery of physical possession of alternative house and further an amount of Rs. 20,00,000/- may also be awarded to each of the Complainant against the Opp. Parties on account of Compensation for mental tension and agony as inflicted due to deficient services of Opp. Parties and compensation be also awarded on account of unfair contact.
4. It has been submitted that in the said proceedings, the petitioner was never arrayed as party and it is during pendency that an interlocutory order came to be passed on 05.11.2024 directing the respondents to refund the amount of Rs. 9,93,000/- deposited by the complainant to respondents along with an interest of 10%.

5. During the subsequent proceedings, an assurance was given by respondents who were appearing before the State Commission that they would comply the order dated 05.11.2024 but it seems that the said order was never complied with and time was sought on the subsequent dates of hearing. It is on 26.11.2025, it seems that when the case was taken up no one appeared on behalf of respondents and in the aforesaid circumstances the State Commission has reproduced the entire order-sheet and taken strict cognizance of the fact that despite repeated opportunities is being granted the respondents had failed to comply with their directions dated 05.11.2024 and in aforesaid circumstances had issued bailable warrants against Rajeshwar Rao, Manoj Kapoor (petitioner) and Vinay Tiwari and also to furnish a security of Rs. 50,000/-.

6. The grievance of the petitioner is only with regard to the fact that firstly that he has no concern with the dispute which is pending before the State Commission, secondly that he has never been made a defendant in the said proceedings and lastly that there was no occasion for the State Commission to have issued bailable warrants against the petitioner.

7. I have considered the arguments of the petitioner as well as perused the record.

8. Considering the fact that the proceedings are still pending before the State Commission and it seems that it is only to secure the compliance of interlocutory order that the order dated 26.11.2025 has been passed where bailable warrants have been issued against the petitioner.

9. During the arguments, Sri Gaurav Mehrotra, learned Senior Counsel appearing on behalf of petitioner submits that the petitioner is ready and willing to cooperate in the proceedings before the State Commission but there was no occasion for the State Commission to have issued a bailable warrants in the aforesaid circumstances against the petitioner.

10. In light of the submissions made on behalf of the petitioner, present writ petition is **disposed of** directing the petitioner to appear before the State Commission on the next date of listing which this Court has been informed is 25.05.2026 and accordingly to that extent the order dated 26.11.2025 would stands modified and the coercive process issued against

the petitioner would be kept in abeyance.

11. Once the petitioner appears before the State Commission, it shall be open for him to take all the pleas available to him to oppose the contention of the complainant. It is further provided in case petitioner does not appear before the State Commission as directed by this Court, the benefit of this order shall not be available to him.

(Alok Mathur,J.)

March 26, 2026

Ravi/