

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s).5214/2026

[Arising out of impugned final judgment and order dated 08-12-2025 in CMLA No.22/2025 passed by the High Court of Judicature at Allahabad]

VISHNU DAYAL & ORS.

Petitioner(s)

VERSUS

BALDEV PRASAD & ORS.

Respondent(s)

FOR ADMISSION

IA No. 38113/2026 - EXEMPTION FROM FILING O.T.

Date : 27-02-2026 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE ARAVIND KUMAR
HON'BLE MR. JUSTICE PRASANNA B. VARALE

For Petitioner(s) : Mr. Arjun Jain, Adv.
Mr. Naman Choula, Adv.
Ms. Anushree Narain, AOR

For Respondent(s) :

UPON hearing the counsel the Court made the following
O R D E R

1. Heard.
2. No notice is being issued to the respondents since no order adverse to the interest of the respondent is being passed except to the extent of requesting the High Court to dispose of the pending Revision Petition within a time-frame for the reasons indicated hereinbelow:

The present Special Leave Petition arises out of an order dated 08.12.2025 passed by the High Court of Judicature at Allahabad in Civil Miscellaneous (Listing Application) No.22/2025 in S.C.C. Revision No.45/2019. The petitioners are decree-holders

in whose favour an order of eviction came to be passed on 15.03.2019. The Revision against the said decree is pending before the High Court. The grievance of the petitioners is limited to the prayer seeking expeditious disposal of the Revision Petition. Hence, the merits of the underlying dispute do not arise for examination in these proceedings.

3. The record indicates that the Revision Petition has remained pending since 2019 and has been listed on several occasions without effective hearing. Interim protection granted in the Revision Petition continues to operate against the petitioners herein. In that background, the petitioners have sought for priority consideration and also on two other grounds, namely, that the building is in a dilapidated condition as evidenced by the photographs appended to the present petition and the authorities having intimated the petitioners that the physical condition of the building being a dilapidated condition which would cause risk to the lives of the people.

4. A perusal of the impugned order indicates that it merely directs listing on a subsequent date and disposes of the application without indicating reasons which weighed with the Court for such adjournment *sine die*.

5. It is well settled that regulation of the cause-list of the High Court is within the domain of the High Court itself and this Court would ordinarily be slow to interfere in such regulation. At the same time, where the matter has remained pending for a considerable time and interim order subsists causing great prejudice to the applicant(s) and an application seeking priority

when filed cannot be treated or disposed of in a routine manner. Even a brief order with accompanying reasons if passed, would reflect that reasoning has been adopted for either granting the relief or refusal of the relief sought for or in other words, such order would indicate that the prayer made has been given due consideration.

6. It cannot be lost sight of that interim orders are intended to operate as temporary measures and are not meant to continue as matter of course. This Court has repeatedly observed that interim protection should not be permitted to assume the character of final relief by passage of time. In such situations, the question of listing assumes judicial element and the order passed thereon must indicate application of mind, howsoever brief.

7. Hence, without entering into the merits of the Revision Petition and having regard to the limited nature of the grievance, we request the High Court that S.C.C. Revision No.45/2019 be taken up on priority basis and same be disposed of expeditiously and preferably within a period of four months from the date of receipt of this order.

8. Special Leave Petition stands disposed of accordingly and all pending application(s) stands consigned to records.

(NEHA GUPTA)
COURT MASTER (SH)

(AVGV RAMU)
COURT MASTER (NSH)