



2026:AHC-LKO:5786-DB

**HIGH COURT OF JUDICATURE AT ALLAHABAD  
LUCKNOW**

**SPECIAL APPEAL No. - 36 of 2026**

Vivek Singh And 4 Others

.....Appellant(s)

Versus

State Of U.P. Thru. Prin. Secy. Deptt. Of Medical,  
Health And Family Welfare Lko. And 2 Others

.....Respondent(s)

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|---------------------------|---|----------------------|
| Counsel for Appellant(s)  | : | Alok Mishra          |
| Counsel for Respondent(s) | : | C.S.C., Utsav Mishra |

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**Court No. - 1**

**HON'BLE RAJAN ROY, J.**

**HON'BLE ABDHESH KUMAR CHAUDHARY, J.**

1. Heard Shri Alok Mishra, learned counsel for the appellants, learned Additional Chief Standing Counsel for the State and Shri Utsav Mishra, learned counsel for the respondent no. 3.

2. After arguing the matter at some length on being pointed out about the subsequent order dated 21.01.2026 which has been passed by the writ court and also the objections raised by Shri Utsav Mishra, learned counsel for the respondent no. 3 regarding very maintainability of this special appeal, Shri Alok Mishra, learned counsel for the appellant submitted that he may be permitted to withdraw this special appeal and the same may be dismissed as withdrawn with liberty, if otherwise permissible in law, to challenge the order dated 21.01.2026.

3. Accordingly, the special appeal is dismissed as withdrawn with liberty aforesaid, however, only in so far as an appeal would be maintainable against such an order and subject to any objection in this regard by the respondents.

**(Abdhesh Kumar Chaudhary,J.) (Rajan Roy,J.)**

**January 27, 2026**

R.K.P.