



2026:AHC-LKO:432-DB

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

SPECIAL APPEAL No. - 1 of 2026

Lalji Tiwari

.....Appellant(s)

Versus

State Of U.P. Thru. Addl. Chief Secy. Home Deptt.
Lko. And 3 Others

.....Respondent(s)

Counsel for Appellant(s)	: Sajjad Husain, Badar Iftikhar, Kulsoom Firoz
Counsel for Respondent(s)	: C.S.C.

Court No. - 1

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

1. Heard.

2. The selection in question wherein the appellant had appeared for being considered for appointment as Constable was initiated in the year 2018. As per Shri Nishant Shukla, learned Additional Chief Standing Counsel, it was completed in the year 2019. The appellant petitioner filed a writ petition in the year 2025 bearing Writ A No. 13323 of 2025 which has been dismissed on the ground of delay and laches.

3. Appellant petitioner's counsel relies on judgement dated 10.10.2025 passed in another matter bearing Writ A No. 14066 of 2019 in re: Amit Kumar Gupta and others vs State of U.P. and others which the appellant petitioner claims to be similar to his petition, however paragraph 13 of the said judgement reads as under:

“(13) Benefit of this order shall obviously be available only to petitioners who have approached this Court.”

4. The said writ petition which was allowed on 10.10.2025 was filed in the year 2019 itself. Learned Single Judge consciously mentioned that benefit of the order shall be available only to the petitioners who have approached this Court.

5. The appellant petitioner had not approached this Court by then but

approached after the decision in the said petition, therefor he is obviously a fence sitter and hence there is no reason to interfere in the matter.

6. Accordingly, the special appeal is dismissed.

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

January 6, 2026
J. K. Dinkar