



2026:AHC-LKO:8218-DB

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

CIVIL MISC REVIEW APPLICATION DEFECTIVE No. - 178 of 2025

State Of U.P. Thru. Prin.Secy./ Addl. Chief Secy.
Deptt. Public Works Deptt. Govt. Of U.P. Lko.

.....Applicant(s)

Versus

Rajendra Kumar Sonwani And Another

.....Opposite
Party(s)

Counsel for Applicant(s)

: C.S.C.

Counsel for Opposite Party(s)

:

Court No. - 1

HON'BLE RAJAN ROY, J.

HON'BLE SUBHASH VIDYARTHI, J.

**(Order on C.M.Application No.1 of 2025; Application for
Condonation of Delay)**

1. Heard.

2. This is an application by the State seeking review of a judgment and order dated 16.01.2025 passed in Writ A No.470 of 2025 (State of U.P. Thru. Prin. Secy./Addl. Chief Secy. Public Works Deptt. Lko. vs. Rajendra Kumar Sonwani and Another).

3. There is a delay of about 245 days. Even though the Limitation Act, 1963 does not apply *stricto sensu* to the review proceedings seeking review of a judgment passed under Article 226 of the Constitution of India in view of a Single Judge Bench's decision in the case of ***Smt. Mohd. Jahan Begum & Another (M/S 349/2007) vs. Board of Revenue, U.P. Allahabad & Others*** passed in ***Review Petition No.329 of 2010 dated 23.09.2016***, nevertheless, delay is a factor to be taken into consideration and is required to be explained.

4. We have gone through the affidavit in support of the application for condonation of delay in filing the review application and do not find the explanation offered therein to be satisfactory. Mere movement of file from one desk to another or one office to another is not an explanation for

the delay which in this case is inordinate. Tested on the anvil of the principles enunciated in the recent decision of Hon'ble the Supreme Court rendered in the case of ***Shivamma (Dead) by LRS vs. Karnatka Housing Board and another*** reported in ***2025 SCC OnLine 1969*** decided on 12.09.2025, we do not find any reason to condone the delay in filing this review application, which is inordinate.

5. In view of the above discussion, as, not only the delay is inordinate, but the same has not been satisfactorily explained, we see no reason to condone the delay. The application for condonation of delay is **dismissed**.

6. Consequently, the review application also stands rejected.

(Subhash Vidyarthi,J.) (Rajan Roy,J.)

February 3, 2026

-Piyush-