



2026:AHC-LKO:9757-DB

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

SPECIAL APPEAL DEFECTIVE No. - 99 of 2026

State Of U.P. Thru. Prin. Secy./Addl. Chief Secy.
Deptt. Of State Tax Lko. And 3 Others

.....Appellant(s)

Versus

Arun Shanker Rai

.....Respondent(s)

Counsel for Appellant(s)	: C.S.C.
Counsel for Respondent(s)	: Tushar Mittal, Shhreiya Agarawal

Court No. - 1

**HON'BLE RAJAN ROY, J.
HON'BLE AMITABH KUMAR RAI, J.**

(C.M. Application No.1 of 2026)

1. This is an application seeking condonation of delay in filing the appeal.
2. Heard.
3. Learned counsel for the respondent has no objection to the delay condonation application.
4. Even otherwise, we have gone through the affidavit in support of the application seeking condonation of delay. Cause shown is sufficient. Accordingly, the application is allowed. The delay in filing the appeal is condoned.

(Order on memo of the appeal)

5. Heard learned counsel for the State and Sri Gaurav Mehrotra, learned Senior Advocate assisted by Sri Tushar Mittal & Ms.Shreiya Agarwal, learned counsel for the respondent.
6. The appellants have already preferred an application seeking vacation of the interim order which is impugned herein. Even otherwise, it is an interim order which is under challenge which does not decide any issue substantially. Appeals against such orders are not maintainable. We, accordingly, **dismiss** this appeal without prejudice to the rights, if any, of

the State to press the application for vacation of interim order before the writ court.

(Amitabh Kumar Rai,J.) (Rajan Roy,J.)

February 9, 2026

Shanu/-