



2026:AHC-LKO:15465-DB

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

WRIT - A No. - 2254 of 2026

Union Of India, Thru. The Secy. Ministry Of
Defence, New Delhi And 4 Others

.....Petitioner(s)

Versus

Ex Ser No 12898357p Naik (Gd /Ta) Shyam
Dutt

.....Respondent(s)

Counsel for Petitioner(s)	:	Mahendra Kumar Misra
Counsel for Respondent(s)	:	

Court No. - 1

HON'BLE RAJAN ROY, J.

HON'BLE ABDHESH KUMAR CHAUDHARY, J.

1. By means of this petition filed in 2026, the petitioner-Union of India etc. have challenged the judgment dated judgment dated 12.12.2022 passed in Original Application No. 344 of 2022.
2. The petition has been filed more than three years after passing of the said judgment.
3. On being asked to demonstrate sufficient cause for the delay, learned counsel for the petitioner invited our attention through Paragraph Nos. 3 and 4 of the writ petition. We have perused the said paragraphs. Paragraph no.3 cannot be said to be explanation for the said delay. Paragraph no. 4 says that the delay is bonafide but does not demonstrate as to what could be the bonafide in filing the writ petition after more than three years of the judgment impugned herein. Mere movement of the file from one office or desk to another is hardly an explanation. The petition also does not disclose that any action may have been taken against any

officer or employee, who may have caused the delay, if it is so. Reasons given in paragraph no. 4 are not acceptable as an explanation for such an inordinate delay. The petition suffers from unexplained latches and the respondent has a judgment in his favour for the past three years, therefore, it would be too unreasonable to make him contest this belated petition in the circumstances before us. **We, accordingly, dismiss this petition only on this ground.**

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

February 25, 2026

Anuj Singh