



2026:AHC-LKO:15891-DB

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

SPECIAL APPEAL DEFECTIVE No. - 334 of 2005

State Of U.P.Through Secy.Law And Anr.In Re
W.P.No.560/Ss/92

.....Appellant(s)

Versus

Deewani Nyayalaya Karmchari Sangh Through
Secy.And Another

.....Respondent(s)

Counsel for Appellant(s)	: C.S.C., H P Srivastava Addl Csc
Counsel for Respondent(s)	: Salil Kr.Srivastava, I B Singh

Court No. - 1

HON'BLE RAJAN ROY, J.

HON'BLE ABDHESH KUMAR CHAUDHARY, J.

1. This defective appeal was filed way back on 20.05.2005, beyond the period of limitation prescribed for filing such appeal under Chapter-VIII Rule-5 of the Allahabad High Court Rules, 1952. It was delayed by 04 months and 17 days as on 20.05.2005. Till date the delay has not been condoned. The application has remained pending for the past 20 years.

2. In absence of any stay, the judgment impugned must have been complied with. Moreover, we have gone through the affidavit in support of application for condonation of delay in filing appeal and find that except for mentioning about movement of the file from one desk/office to another, no other plausible explanation for such delay of more than 127 days has been furnished. The impugned judgment is dated 14.09.2004. The explanation offered is not acceptable.

3. The application for condonation of delay is hereby **rejected**.

4. Consequently, the memo of appeal is also **dismissed**.

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

February 26, 2026

MVS/-