



2026:AHC-LKO:15856-DB

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

SPECIAL APPEAL DEFECTIVE No. - 175 of 2026

State Of U.P. Thru. Prin. Secy. Deptt. Of Forest
Lko. And 6 Others

.....Appellant(s)

Versus

Ram Prakash Verma

.....Respondent(s)

Counsel for Appellant(s)	:	C.S.C.
Counsel for Respondent(s)	:	Hanumant Lal Yadav

Court No. - 1

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

**(Order on C.M.Application No.1 of 2026; Application for
Condonation of Delay)**

1. Vakalatnama filed today by Shri Shailendra Singh Chauhan, Advocate on behalf of respondent is taken on record.
2. Heard Shri Anand Singh, learned Additional Chief Standing Counsel for the State and Shri Shailendra Singh Chauhan, learned Counsel for the respondent.
3. This is an application seeking condonation of delay of ten days' in filing this appeal which is supported with an affidavit.
4. We have gone through the affidavit filed in support of the application for condonation of delay. The cause shown and explanation offered in the affidavit is sufficient and satisfactory especially as learned Counsel for the respondent has no objection to the delay condonation application.
5. In view of the above, the application for condonation of delay is **allowed**. The delay in filing the appeal is condoned and the appeal is heard on merits.

(Order on Memo of Appeal)

1. Heard Shri Anand Singh, learned Additional Chief Standing Counsel

for the State and Shri Shailendra Singh Chauhan, learned Counsel for the respondent.

2. This is an appeal under Chapter VIII Rule 5 of the Allahabad High Court Rules, 1952 against the judgment and order dated 08.01.2026 passed by the Writ Court in Writ A No.10264 of 2016 (Ram Prakash Verma vs. State of U.P. and Others).

3. Similar appeals against similar orders have already been dismissed on 03.09.2024 with the observation that the order of rejection does not mention that the duties of the respondent-petitioner are different from that of the regular class-IV employees, however, in this appeal, Counsel for the State sought to rely upon certain documents annexed at page No.206 and onwards but on being asked as to whether these documents were filed with the counter affidavit before the Writ Court, he fairly submitted that they were not filed. We do not at all appreciate, the filing of documents in the appeal for the first time without filing the same before the Writ Court that too without any disclosure that the some of documents which are on record of the appeal but were not filed before the Writ Court. Such documents can only be filed after seeking permission of the Court and not otherwise. We are, therefore, not inclined to entertain this appeal but this is without prejudice to the rights, if any, of the appellants to seek a review of the judgment on permissible grounds.

4. With the aforesaid observations, the appeal is **dismissed**.

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

February 24, 2026

-Piyush-