



2026:AHC-LKO:12517-DB

**HIGH COURT OF JUDICATURE AT ALLAHABAD  
LUCKNOW**

**SPECIAL APPEAL DEFECTIVE No. - 128 of 2009**

District Basic Education Officer Rae Bareli

.....Appellant(s)

Versus

Sri Surya Pal Agnihotri Inter College Rae Bareli

.....Respondent(s)

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|---------------------------|------------------------------------------------------------------------|
| Counsel for Appellant(s)  | : A.M.Tripathi, P.R.Kanaujia, Prashant Arora, Shivam Sharma            |
| Counsel for Respondent(s) | : C.S.C., Gopesh Tripathi, Hrishabh Singh, Jyotinjay Verma, S.K.Tewari |

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**Court No. - 1**

**HON'BLE RAJAN ROY, J.**

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

***On C.M.Application No.23090/2009***

1. Heard.
2. This application seeks condonation of delay in filing special appeal.
3. Counsel for the respondents do not have any objection to the application for condonation of delay.
4. We have gone through the affidavit filed in support of the application for condonation of delay and find that the reasons mentioned therein are sufficient.
5. Accordingly, we condone the **delay**. Application is **allowed**.
6. Let a regular number be allotted to this appeal.

**On Memo**

1. Heard Shri Shivam Sharma as well as Shri S.S. Rajawat, appearing for the appellant, Shri Gopesh Tripathi, learned counsel appearing for respondent no.1 as well as learned counsel for the State.

2. It is stated on behalf of the appellant that against dismissal of the similar appeal, special leave petition preferred by the appellant has already been dismissed on 2nd December, 2009. The judgment has been reported in ***(2010) 1 SCC 639 (State of Uttar Pradesh and others Vs. Committee of Management, Mata Tapeswari Saraswati Vidya Mandir and others)***.

3. In view of the aforesaid statement, this appeal stands dismissed, in terms of the above mentioned judgment.

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

**February 17, 2026**

MVS/-