



2026:AHC-LKO:12587-DB

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

SPECIAL APPEAL No. - 221 of 2006

State Of U.P.Through Secretary Public Works

.....Appellant(s)

Versus

Satya Narain

.....Respondent(s)

Counsel for Appellant(s)
Counsel for Respondent(s)

: C.S.C.
: U.Gupta

Court No. - 1

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

(C.M. Application No.11041 of 2006)

1. This is an application seeking condonation of delay in filing the appeal.
2. Heard.
3. This is an appeal filed under Chapter VIII Rule 5 of the Allahabad High Court Rules, 1952 against the judgment and order dated 20.12.2004 passed in Writ Petition No.4108 (S/S) of 2002 [Satya Narain vs. State of U.P. & Ors.]. This special appeal was filed on 28.04.2006. As reported, there is a delay of one year, two months and six days in filing of this appeal. We have gone through the affidavit in support of the application for condonation of delay and do not find the explanation offered therein to be satisfactory when tested on the anvil of the recent judgment of Hon'ble the Supreme Court in the case of '**Shivamma (Dead) by LRS vs. Karnataka Housing Board and another**' reported in 2025 SCC OnLine 1969. Mere movement of the file from one desk of the office to another is hardly an explanation certainly not an acceptable one for such inordinate delay.
4. Accordingly, we reject the application for condonation of delay. Consequently, the appeal is also **dismissed**.

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

February 17, 2026/ Shanu/-