



2026:AHC-LKO:16536-DB

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

SPECIAL APPEAL DEFECTIVE No. - 185 of 2026

Chhannu Lal

.....Appellant(s)

Versus

State Of U.P. Thru. Prin. Secy. Home Lko. And 2
Others

.....Respondent(s)

Counsel for Appellant(s)	:	Shishir Pradhan, Harish Chandra
Counsel for Respondent(s)	:	C.S.C.

Court No. - 1

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

1. Heard learned counsel for the appellant and learned Standing Counsel and perused the material available on record.

2. This Special Appeal has been filed by the appellants under Chapter VIII Rule 5 of the Allahabad High Court Rules, 1952 challenging the Judgment and order dated 05.07.2023 passed by the learned Single Judge in Writ-A No. 4767 of 2023 (Chhannu Lal vs. State of U.P. and others). This appeal has been filed on 11.02.2026. It is delayed by 923 days as on 11.02.2026 as reported by the office. Limitation for filing such appeal is 30 days as prescribed under Chapter IX Rule 10 of the Allahabad High Court Rules, 1952 read with Article 117 of the Schedule appended to the Limitation Act, 1963.

3. We have gone through the affidavit filed in support of the application for condonation of delay. It merely mentions about poverty of the appellant, however, learned counsel for the appellant admitted that he was working as Home Guard under the opposite parties from 1968 to 2022. No details of asset and liabilities have been furnished. A bald assertion that on account of the poverty the appeal could not be heard is not acceptable. As regards the

other reasons given i.e. illness of the wife in that respect also no details have been mentioned nor any documents has been filed. Inordinate delay has not been sufficiently explained when tested the explanation offered on the anvil of the recent decision of Hon'ble Supreme Court in the case of ***Shivamma (Dead) by LRS vs. Karnatka Housing Board and another reported in 2025 SCC OnLine 1969 decided on 12.09.2025***

4. Keeping in view of the aforesaid, we do not find any reason to condone such inordinate delay in filing the appeal. Accordingly, the application for condonation of delay is **rejected**.

5. Consequently, the appeal also stands **dismissed**.

February 27, 2026
Anuj Singh

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