



2026:AHC:31155

## HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - A No. - 2112 of 2026

Ramashrya Verma

.....Petitioner(s)

Versus

State Of U.P. And 2 Others

.....Respondent(s)

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|---------------------------|-----------------------------------------------|
| Counsel for Petitioner(s) | : Nagendra Kumar Singh, Ramesh Singh Kushwaha |
| Counsel for Respondent(s) | : C.S.C.                                      |

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**Court No. - 33**

**HON'BLE VIKAS BUDHWAR, J.**

1. Heard Sri Ramesh Singh Kushwaha, learned counsel for the writ petitioner and Sri Anup Kumar, learned Additional Chief Standing Counsel for the State.
2. The writ petitioner herein claims himself to be a Safaikarmchari. Post issuance of a charge sheet, departmental proceedings stood conducted against the writ petitioner and thereafter, the punishment order came to be passed by District Panchayat Raj Officer, Ghazipur on 03.08.2013 against which the writ petitioner claims to have preferred an appeal which was time barred being beyond limitation period which was rejected on 16.11.2013 on the ground of delay.
3. Questioning both the orders, the present writ petition has been preferred.
4. Learned counsel for the writ petitioner has sought to argue that the order impugned cannot be sustained particularly when the writ petitioner has not committed the offence and further though delay in preferring the appeal but the delay was liable to be condoned as there was justifiable ground for condonation of delay. As regards preferring of the present writ petition with delay is concerned. Attention has been drawn towards paragraph 32 of the writ petition in that regard.
5. Sri Anup Kumar, learned Additional CSC submits that the explanation so offered by the writ petitioner for condonation of delay is not worth acceptance particularly when 13 years of delay is a huge inordinate delay in that regard.

6. I have heard the submission so made across the bar and perused the record.

7. Apparently, against the punishment order dated 03.08.2013 an appeal came to be preferred which was rejected on 16.11.2013 on the ground of delay. Both the orders came to be challenged by way of the present writ petition and the present writ petition came to be presented by this Court on 03.02.2026. Para 32 of the writ petition reads as under.-

*"32. That is no willful and deliberate latches on the part of the petitioner in filing the present writ petition in Hon'ble High Court within time, because petitioner preferred his appeal on 02.11.2013 before the respondent no. 2, but no order was served upon the petitioner by respondent no. 2, then he file the reminder dated 11.04.2014, 05.06.2015, 07.11.2018, 12.12.2021 and 09.09.2025 before the respondent no. 2 in spite of it when no information was received by the petitioner as to status of his appeal before the respondent no. 2, then petitioner on dated 16.01.2026 he went at Varanasi along with his relative in the office of Divisional Deputy Director Varanasi Division Varanasi and inquiry about the status of his aforesaid appeal then he received a order dated 16.11.2013 passed by respondent no. 2/Divisional Deputy Director (Panchayat) Varanasi Division Varanasi then he know that his appeal has been dismissed."*

8. The explanation set forth in para 32 of the writ petition is not worth consideration particularly when it is not the case wherein the writ petitioner was not aware about the passing of the order by the disciplinary authority and the appellate authority. As a matter of fact, once an appeal stood preferred by the writ petitioner then non disposal of the appeal within reasonable period creates a doubt in the mind of the appellant and it is beyond comprehension or imagination that a person would believe that the appeal has not been decided though, it has been preferred. Additionally, it is not worth believable that the writ petitioner was not aware about the order passed in the appeal while harbouring under the impression that the appeal has not been decided.

9. Accordingly, no good ground is made out, thus, the present writ petition is **dismissed**.

**February 12, 2026**  
Rajesh

**(Vikas Budhwar,J.)**