



2026:AHC:29336

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 598 of 2026

Surendra Kumar Rai And Another

.....Petitioner(s)

Versus

State Of U.P. And 4 Others

.....Respondent(s)

Counsel for Petitioner(s) : Pradeep Yadav

Counsel for Respondent(s) : C.S.C., Hari Narayan Singh,
Rameshwar Prasad Shukla, Sanjay
Kumar Om

Court No. - 6

HON'BLE PRAKASH PADIA, J.

1. Pursuant to the order passed by this Court, Sri Rahul Sahai, learned counsel who is appointed as Amicus curiae by this Court is present. Learned Standing Counsel accepted notice on behalf of respondent Nos.1 to 3 and Sri H.N.Singh, learned counsel for respondent No.4 and Sri Rameshwar Prasad Shukla, learned counsel for respondent No.5.

2. Learned Standing Counsel placed Instructions dated 23.01.026 received under the signatures of Executive Engineer placed before the Court, the same is taken on record.

3. After going through the same, it is argued by Sri Rahul Sahai, learned counsel that justice would be sub served in case the appellate authority before whom the appeal along with delay condonation application is pending be directed to decide first of all delay condonation application within time bound period.

4. In this view of the matter, the present petition is disposed of directing the the appellate authority before whom the appeal along with delay condonation application is pending to decide first of all delay condonation application within four weeks from the date of date of production of certified copy of this order and in case, the delay condonation application

is allowed, the appellate authority is directed decide the stay application filed along with the appeal within four weeks thereafter but after providing opportunity of hearing to all the parties concerned unless there is no legal impediment.

5. Sri Rahul Sahai, learned counsel's assistance has been crucial in facilitating the controversy involved in the present case.

(Prakash Padia,J.)

February 10, 2026

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