



2026:AHC:43382

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - A No. - 1394 of 2026

Usha Devi And Another

.....Petitioner(s)

Versus

State Of U.P. And 3 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Mohd. Khalil, Pinki Singh, Rohit Singh
Counsel for Respondent(s)	:	C.S.C.

Court No. - 33

HON'BLE VIKAS BUDHWAR, J.

1. Supplementary affidavit filed today is taken on record.
2. Heard Sri Rohit Singh, learned counsel for the petitioners and learned Standing Counsel, who appears for State-respondents.
3. A preliminary objection has been raised by learned Standing Counsel that the writ petition may not be maintainable on the ground that the order impugned is dated 23.05.2016 passed by Zila Panchayat Adhikari, Mirzapur terminating the services of the writ petitioners but the writ petition has been filed after an unexplained inordinate delay approximately 9 years, particularly, when the writ petition came to be presented before this Court on 19.01.2026.
4. Submission is that the reasons for preferring the writ petition with delay and laches is not genuine and bona fide. In reply to the same, learned counsel for the writ petitioners submits that the writ petitioners; services came to be terminated by District Panchayat Raj Officer on 23.05.2016, however, as per the averments contained in the supplementary affidavit, the writ petitioners were given assurance that the writ petitioners would be taken back in services and the matter will be settled while giving a fresh appointment and the writ petitioners preferred representation but nothing was communicated to the writ petitioners.
5. Learned counsel for the writ petitioners further submits that the order impugned is stigmatic in nature and the same is in violation of principles of natural justice.

6. I have heard learned counsel for the parties and gone through the records carefully.

7. Apparently, the services of the writ petitioners stood terminated by virtue of the order dated 23.05.2016 of the District Panchayat Raj Officer, Mirzapur in the supplementary affidavit, the following has been asserted as under:

"4. That in this regard further stated that the petitioner belong to rural back ground and therein lack of legal awareness.

5. That only 7 person still working under the kind control of the respondent and out of 28 post still exist and assurance given by the respondent to take back their services and matter will be settled regarding fresh was awaiting and expectation from the side of the respondent services were resume very soon.

6. That the petitioner who continue given the time to time representation to the authority concerned regarding expelled from the service without providing any opportunity of hearing till 2020.

7. That the petitioner who has filed the application under the RTI dated 08.05.2024 and reply was given in the office of information Zila Panchayat Raj Adhikari Mirzapur and said letter dated 15.5.2024 issued by the Zila Panchayat Raj Adhikari Mirzapur. A copy of letter dated 15.5.2024 issued by the Zila Panchayat Raj Adhikari Mirzapur is being filed herewith and marked as ANNEXURE NO.S.A. 1 to this affidavit.

8. That the petitioner who has given letter 27.12.2025 and reply was also given by the Zila Panchayat Raj Adhikari Mirzapur on dated 17.1.2026. A copy of Reply letter dated 17.1.2026 is being filed herewith and marked as ANNEXURE NO.S.A.2 to this affidavit.

9. That the petitioner may aspect from this Hon'ble Court may take liberal approach while considering the condonation delay/ latches and may decide the said petition on its own merit otherwise cause of justice being defeated.

10. That delay/ latches which has caused near about 9 years and the petitioner failed to approach before of the this Hon'ble Court on the back ground unawareness and without non deliberate delay present petition is being filed.

11. That the petitioner has explain sufficient cause of the delay as per their knowledge and they need linnet view from the side of this Hon'ble

Court and condoned the whatsoever delay has been caused may kindly condone, otherwise the petitioners shall suffer irreparable loss."

8. A bare perusal of the reasons set forth in not approaching the Court within reasonable time does not inspire confidence, particularly, once the writ petitioners' services stood terminated on 23.05.2016 then it is not a case that the writ petitioners were not aware about the termination order as the writ petitioners were stopped from discharging the duties.

9. Even otherwise, non-awareness of the legal position cannot be a ground as ignorance is not an excuse for condonation of delay. There is an unexplained inordinate delay of 9 years and much water has flown with long passage of time.

10. Accordingly, no good ground is made out to interfere, the writ petition is **dismissed**.

February 20, 2026
Ashu

(Vikas Budhwar,J.)