



2026:AHC-LKO:18874-DB

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

SPECIAL APPEAL DEFECTIVE No. - 152 of 2026

The Principal Secretary, Deptt. of State Tax, Lko
and 2 others

.....Appellant(s)

Versus

Manish Kumar

.....Respondent(s)

Counsel for Appellant(s)	: S.M.Singh Raikwar, A.A.G., Aniruddha Singh, C.S.C.
Counsel for Respondent(s)	: Ajeet Pratap Singh, Apoorva Tewari, Abhishek Singh

Chief Justice's Court

**HON'BLE ARUN BHANSALI, CHIEF JUSTICE
HON'BLE JASPREET SINGH, J.**

1. This Special Appeal is directed against order dated 08.08.2025 passed by learned Singh Judge whereby on finding a *prima-facie* case in favour of the respondent, the order of suspension dated 01.07.2025 was ordered to remain stayed.
2. When the present Special Appeal came up before this Court, it was noticed that the order dated 08.08.2025 had not been complied with and despite the fact that the enquiry report had already been submitted on 23.08.2025 itself.
3. The appellants were directed to obtain instructions regarding the conduct of the officer in not following the interim order granted by learned Single Judge.
4. Today a compliance affidavit has been filed *inter-alia* placing on record the enquiry report and order dated 14.03.2026 reinstating the respondent pursuant to the order dated 08.08.2025 passed by learned Single Judge. Further indications have been made that action has been initiated against those responsible for non-compliance of the directions issued by this Court.
5. The appeal is barred by 157 days.

6. As noticed hereinbefore, the entire conduct of the officer, in not following the directions of the learned Single Judge and despite the fact that the report of the enquiry officer had been submitted, choosing to question the order of reinstatement with a delay of 157 days clearly reflects that the intentions are other than bonafide *qua* the respondent.

7. In those circumstances and the fact that the order dated 08.08.2025 already stands complied with, we do not find any reason to condone the delay in filing the appeal.

8. The delay condonation application is rejected.

9. Consequently, the appeal is **dismissed**.

10. We make it clear that the enquiry, which has been initiated by the appellants for non-compliance of the directions issued by learned Single Judge, shall not be an eyewash only and would be taken to logical conclusion.

(Jaspreet Singh, J) (Arun Bhansali, CJ)

March 16, 2026
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