

Court No. - 21

Case :- SPECIAL APPEAL DEFECTIVE No. - 771 of 2023

Appellant :- Jang Bahadur Singh Yadav

Respondent :- State Of U P And 3 Others

Counsel for Appellant :- Bhaiya Lal Yadav,Ratnesh Kumar Pandey

Counsel for Respondent :- C.S.C.,Prabhakar Awasthi

Hon'ble Manoj Kumar Gupta,J.

Hon'ble Donadi Ramesh,J.

1. The instant intra-court appeal is directed against the order of learned Single Judge dated 18.10.2023 passed in Writ-C No. 36135 of 2023, whereby, the orders impugned in the writ petition have been stayed.

2. The effect is that the election to be held in pursuance of the aforesaid orders would not be held. The stay order is in operation only till the next date of listing i.e. 06.12.2023 when the matter is directed to be listed as a fresh case again. The appellants were granted time to file counter affidavit.

3. Shri Ratnesh Kumar Pandey, learned counsel for the appellant having regard to the fact that order is purely interlocutory in nature, states that the appellant would file counter affidavit within a week and thereafter the respondents (petitioners in the writ petition) be granted one week to file rejoinder affidavit so that the matter is taken up for consideration by the Writ Court on date already fixed. Shri Prabhakar Awasthi, learned counsel for the contesting respondents has no objection to the same.

4. Accordingly, without interfering with the impugned order, the instant appeal is disposed of in terms of the consent noted above.

Order Date :- 21.11.2023

Mukesh Kr.

(Donadi Ramesh,J.) (Manoj Kumar Gupta,J.)