

**Court No. - 1**

**Case :-** SPECIAL APPEAL DEFECTIVE No. - 927 of 2023

**Appellant :-** Veersen Pandey

**Respondent :-** State Of U.P. Thru. Prin. Secy. Deptt. Revenue  
Civil Sectr. Lko. And Others

**Counsel for Appellant :-** Aditya Kumar Tiwari

**Counsel for Respondent :-** C.S.C.

**Hon'ble Attau Rahman Masoodi,J.**

**Hon'ble Om Prakash Shukla,J.**

**(C.M.Application No. 1 of 2023)**

1 Heard learned counsel for the petitioner.

2. Cause shown in the affidavit filed in support of the application for condonation of delay is sufficient

3. Accordingly, application is allowed and the delay is condoned.

**(Order on memo of Special Appeal)**

4. Heard learned counsel for the appellant and the learned Standing Counsel for the State.

5. On a bare perusal of the relief sought in this intra-court appeal filed under Chapter VIII Rule 5 of the Rules of the Court, we are not convinced that a prayer for modification of the writ court order would lie in the appeal. That apart, the writ court has not decided any issue between the petitioner(appellant herein) and the State. The writ court has rather directed for an expeditious disposal of the representation pending with the authority.

6. For what has been recorded above, the Special Appeal is not maintainable. It is accordingly **dismissed**.

7. However, it is open to the appellant to make an appropriate application before the writ court, if so advised.

**Order Date :-** 13.12.2023

Sanjay