IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

SPECIAL APPEAL NO. 74 OF 2020

State of Uttarakhand and others. ....Appellants.

Vs.

Richa Vatsyayan and another .....Respondents.

Shri Anil Kumar Bisht, learned additional chief standing counsel for the State of Uttarakhand / appellants.
Shri Vinay Kumar, learned counsel for respondent no. 1.

13th October, 2020

Coram: Hon'ble Ravi Malimath, ACJ.
Hon'ble Ravindra Maithani, J.

Ravi Malimath, ACJ. (Oral)

There is a delay of 657 days in filing the appeal. It is stated that after passing of the order by the learned Single Judge, an opinion was sought from the State Law Department with regard to filing of the appeal. The permission to file the special appeal was granted in Writ Petition (M/S) No. 1058 of 2016, which was the leading case. There was no specific permission to file the appeal against the other writ petitions. Hence, one more government order had to be obtained. In the interregnum, there is a delay.

2. On hearing learned counsels, we are of the considered view that the same constitutes sufficient cause to condone the delay. Hence, the delay in filing the appeal is condoned. The application for condonation of delay (CLMA No. 2654 of 2020) in filing the appeal is allowed.

3. Both learned counsels submit that the matter is covered by the judgment of this Court passed in Special Appeal No. 224 of 2019 and connected matters dated 31st July, 2019.

4. In view of the submission made, the appeal is disposed-off in terms of the judgment dated 31.07.2019 passed by this Court in Special Appeal No. 224 of 2019 and connected matters.

(Ravindra Maithani, J.) **(Ravi Malimath)**
ACJ

13.10.2020 13.10.2020

PSR