

(2020) 12 UK CK 0052
In the Uttarakhand High Court
Case No : Special Appeal No. 304 Of 2020

State Of Uttarakhand And Others

APPELLANT

Vs

Puja Gaur

RESPONDENT

Date of Decision : 17-12-2020

Acts Referred:

Citation : (2020) 12 UK CK 0052

Hon'ble Judges : Ravi Malimath, J;Alok Kumar Verma, J

Bench : Division Bench

Advocate : Vikas Pandey, Devendra Singh Bohra

Final Decision : Dismissed

Judgement

Ravi Malimath, J

1. There is a delay of 544 days in filing this appeal. The reason assigned is that after the order dated 08.05.2019 was passed by the learned Single

Judge, the same was received by the office of the Director General Medical Health and Family Welfare, which was later on forwarded to the

concerned department on 31.05.2019. Thereafter, by letter dated 11.06.2019, the Director General Medical Health and Family Welfare forwarded the

order to the State government in order to obtain permission to file the appeal. The proposal was sent granting permission to file the appeal. In the said

process, the delay was occasioned. The same is objected by the learned counsel for the respondent.

2. However, on hearing learned counsels we are of the considered view that the appellants have shown sufficient cause to condone the delay. Hence,

the application (CLMA No.10445 of 2020) to condone the delay in filing the appeal is allowed and the delay is condoned.

3. Aggrieved by the order passed by the learned Single Judge in dismissing the writ petition as being infructuous and recording certain directions, the instant appeal is filed by the respondent-State. Learned Single Judge held in para 7 that the relief sought for in the writ petition is for giving joining to the petitioner, which has already been done and, therefore, nothing survives in the writ petition. However, it is also added that the appointment will be subject to the final outcome of the vigilance inquiry and S.L.P. pending before the Honâ??ble Supreme Court. The order dated 08.05.2019 passed by the learned Single Judge is just and appropriate, and endured with the facts and circumstances and the law.

4. We do not find any iota of error committed by the Single Judge that calls for any interference. Hence, the appeal, being devoid of merit, is dismissed.