



1

WA-2140-2025

IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE SANJEEV SACHDEVA,
CHIEF JUSTICE

&

HON'BLE SHRI JUSTICE VINAY SARAF

ON THE 7th OF JANUARY, 2026

WRIT APPEAL No. 2140 of 2025

THE STATE OF MADHYA PRADESH AND OTHERS

Versus

PRASHANT UIKEY AND OTHERS

.....
Appearance:

Shri Anubhav Jain, learned Government Advocate for the appellants.

Shri R.N. Vishwakarma, learned counsel for the respondents.
.....

ORDER

Per. Hon'ble Shri Justice Sanjeev Sachdeva, Chief Justice

1. Appellants/State impugns order dated 16.01.2020 whereby the writ petition filed by the respondents was allowed relying on the decision of this Court dated 28.09.2010 in *W.P.No.661/2008 (Vinod Admache & Anr. Vs. State of M.P.)*. The impugned order also recorded that in another case i.e. *W.P.No.11079/2008 (Lal Singh Thakur & Ors. Vs. State of M.P.)*, the judgment of *Vinod Admache* was relied upon. S.L.P. filed by the State Government against the judgment in *Lal Singh Thakur (supra)* was dismissed by the Supreme Court on 20.11.2014. In the impugned order, same relief as granted in *Vinod Admache (supra)* was extended to the petitioner. Subject appeal has been filed with a delay of 1145 days.

We note that there is no explanation in the application seeking



condonation of delay except to state that immediately after the impugned order, there was outbreak of Covid-19 and disrupted administrative functioning across the government departments. Noticing that there was inadequate explanation, an opportunity was granted to the appellant to file an additional affidavit in support of the application seeking condonation of delay on 28.08.2025. Pursuant thereto, affidavit dated 18.11.2025 was filed wherein certain documents were appended stating that delay occurred due to administrative reasons and enquiry has been initiated against the delinquent officer. This Court on 04.12.2025 noticed that there was no explanation in the additional affidavit except for annexing certain documents, granted yet another opportunity to the State to file an additional affidavit. Further additional affidavit has been filed on 06.12.2025 which divides the period of delay into two categories Pre 2024 and Post 2024. In respect of period of Pre 2024, there is only one paragraph explaining delay which reads as under:

"6) That after passing of the impugned order dated 16.01.2020 in Writ Petition No.11507/2018, the file about the question of preferring a writ appeal remained pending at various levels in the concerned office(s), and no effective or timely decision was taken by the then responsible officials, resulting in inaction and accumulation of delay."

In the category of Post 2024, the delay covered by the period Post 2024, it is stated that some contempt proceedings were initiated consequent thereto the present appeal was filed.

We note that despite several opportunities, there was no explanation given on behalf of the appellant for condoning the delay. We are not satisfied



that the period of delay has been sufficiently explained. Accordingly, the application for condonation of delay is dismissed.

Since the application seeking condonation of delay is dismissed. The appeal is also dismissed on the ground of delay and laches.

(SANJEEV SACHDEVA)
CHIEF JUSTICE

(VINAY SARAF)
JUDGE

P/-