

**IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL****THE HON'BLE CHIEF JUSTICE MR. MANOJ KUMAR GUPTA****AND****THE HON'BLE JUSTICE MR. SUBHASH UPADHYAY****Special Appeal No.276 of 2026**

Ramesh Chandra Yadav

----Appellant

Versus

Doiwala Sugar Company Limited & Another

----Respondents

September 18, 2026**Presence:-**

Mr. Dharmendra Barthwal, learned counsel for the appellant
None present for the respondents

JUDGMENT: (per Mr. Manoj Kumar Gupta, C. J.)

1. The present intra-court appeal is directed against the order passed by learned Single Judge dated 07.09.2021 in WPMS No.2878/2015. The office has reported a delay of 1713 days in preferring the instant appeal. The sole explanation given in the affidavit filed in support of the application is that the appeal has been filed after hectic effort by the appellant to obtain relevant papers and after the papers became available, he approached his counsel in the month of "March and April, 2026".

2. The writ petition before the learned Single Judge was by non-appellant no.1, namely, Doiwala Sugar Company Limited challenging the order dated 27.03.2015 passed by the Uttarakhand Other Backward Class Commission directing non-



appellant no.1 to grant compassionate appointment to the appellant. The Single Judge has held that the Commission had no power or authority to issue any such direction and that the death of the father of the appellant took place in 1979, therefore, the direction issued by the Commission for compassionate appointment in 2015, after three decades, was wholly unwarranted. As per own case of the petitioner, the application for compassionate appointment was filed in the year 1985.

3. Irrespective of the grounds on which the writ petition was allowed and the prayer for compassionate appointment was declined, we observe that again there is inordinate delay and laches in filing the instant appeal, and for which there is virtually no explanation. Moreover, as per the affidavit of the appellant, he is now aged 62 years and for this reason also, the claim for compassionate appointment cannot be considered.

4. In view of the above, the delay condonation application (IA No.1/2026) as well as the appeal stand dismissed.

(MANOJ KUMAR GUPTA, C. J.)

(SUBHASH UPADHYAY, J.)

Dated: 18.09.2026

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