

IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

Special Appeal No. 382 of 2015

With

Delay Condonation Application No. 8635 of 2015

Application for Leave to Appeal No. 8634 of 2015

Meena Bisht. Applicant

Versus

Km. Ranjana & others. Respondents

Mr. Amar Shukla and Mr. B.M. Pingal, Advocates for the applicant / appellant.

Mr. J.P. Joshi, Senior Advocate, assisted by Mr. Sushil Vashistha, Advocate for respondent No. 1.

Mr. Pradeep Joshi, Standing Counsel for the State of Uttarakhand / respondent Nos. 2 to 4.

Mr. Rajendra Dobhal, Senior Advocate, assisted by Mr. Devang Dobhal, Advocate for respondent No. 5.

JUDGMENT

Coram: Hon'ble K.M. Joseph, C.J.

Hon'ble U.C. Dhyani, J.

Dated: 31st July, 2015

K.M. JOSEPH, C.J. (Oral)

Heard the learned counsel for the parties.

2. In the circumstances of the case, we are of the view that the delay of 35 days can be condoned. Accordingly, the Delay Condonation Application is allowed and the delay will stand condoned.

3. Applicant is not a party in the writ petition. According to her, she is a candidate, who has already been selected. This is disputed by the learned Senior Counsel appearing for respondent No. 1 / writ petitioner.

4. We would think that we need not grant leave in this case having regard to the provision of Rule 5 of the High Court Rules and also for the view we have that the applicant can move the learned Single Judge for her impleadment in the writ petition and seek appropriate orders in regard to the impugned order and can also seek early disposal of the case itself.

5. Without prejudice to the said rights, leave is refused. The Application for Leave to Appeal is dismissed. Consequently, the appeal will stand dismissed.

(U.C. Dhyani, J.)
31.07.2015

(K.M. Joseph, C. J.)
31.07.2015

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