

**IN THE HIGH COURT OF MANIPUR
AT IMPHAL**

MC (WP (C)) No. 466 of 2023
[Ref: WP (C) No. 293 of 2020]

Narendra Singh

Applicant

Vs.

Union of India; & Ors.

Respondents

BEFORE
HON'BLE MR. JUSTICE AHANTHEM BIMOL SINGH

14.05.2024

Heard Mr. Kh. Tarunkumar, learned senior counsel appearing for the applicant and Mr. S. Samarjeet, learned senior panel counsel appearing for the respondents.

The present application had been filed with a prayer for condoning the delay of 364 days in filing the connected restoration application registered as MC (WP (C)) No. 257 of 2023.

It has been submitted by the learned senior counsel appearing for the applicant that the petitioner is a resident of Himachal Pradesh and the petitioner engaged one Shri K. Rabei Singh as his counsel and filed the connected writ petition. During the pendency of the said writ petition, the earlier counsel of the petitioner, i.e., K. Rabei Singh was appointed as President of the District Consumer Dispute Redressal Commission (District Commission), Imphal on 21.03.2022 and after such appointment, the earlier counsel failed to conduct the writ petition on behalf of the petitioner and there was a communication gap. Subsequently, the said writ petition was ultimately dismissed by this Court on 21.11.2022 for non-prosecution.

The learned senior counsel further submitted that as the petitioner has no knowledge about the appointment of his earlier counsel as the President of DCDRC (District Commission) and that the counsel was no longer conducting his case and also as the petitioner has no knowledge about the dismissal of the

writ petition for non-prosecution, there is a delay of 364 days in filing the connected restoration application.

It has been submitted on behalf of the applicant that if any inconvenience is caused to the respondents, the applicant is willing to pay some costs and a prayer has been made for hearing the writ petition on merit to safeguard the interests of justice.

Mr. S. Samarjeet, learned senior panel counsel appearing for the respondents vehemently objected the condonation application on the ground that there was gross negligence on the part of the applicant as well as the earlier counsel and as such, the condonation application may be rejected outright.

After hearing the submission advanced by the counsel appearing for the parties and on perusal of the record, this Court is satisfied that there is sufficient cause for condoning the delay in filing the condonation application. Moreover, as the petitioner has willing come forward to pay costs for any inconvenience caused to the respondents, this Court is of the considered view that interests of justice will be served by condoning the delay in filing the condonation application and to heard the writ petition on merit.

Accordingly, the delay of 364 days in filing the connected application is hereby condoned subject to payment of costs of Rs. 2000/- to be paid by the applicant to the High Court Bar Association Manipur. The said costs should be paid within a period of 1 (one) week.

The application stands disposed of.

JUDGE

Sapana