

IN THE HIGH COURT OF KARNATAKA, AT DHARWAD

DATED THIS THE 19TH DAY OF NOVEMBER, 2025

PRESENT

THE HON'BLE MR. JUSTICE S G PANDIT

AND

THE HON'BLE MRS JUSTICE GEETHA K.B.

MFA NO.104750/2024 (AA) C/W

MFA NO.104751/2024 (AA)

MFA NO.104752/2024(AA)

IN MFA NO.104750/2024:

BETWEEN:

1. THE NATIONAL HIGHWAYS AUTHORITY OF INDIA,
THROUGH ITS PROJECT DIRECTOR,
MR.M. SHIVAKUMAR S/O B. MADIAH
AGE. 54 YEARS, PIU, CHITRADURGA,
HAVING ITS OFFICE AT PIU,
NATIONAL HIGHWAYS AUTHORITY OF INDIA, (NHAI)
NEAR JMIT, NH-48, CHITRADURGA.
2. SPECIAL LAND ACQUISITION OFFICER
NATIONAL HIGHWAY AUTHORITY OF INDIA,
NH-48(OLD NH-4) NEAR CHAMUNDESHWARI TEMPLE,
KSRTC DEPOT ROAD, CHITRADURGA-577501.

...APPELLANTS

(BY SRI. SAGAR LADDA, ADVOCATE)

AND

1. CHANDRASHEKHARAPPA BASAPPA MATTUR
R/O. ALDHAKATTI, TAL. AND DIST. HAVERI.
2. THE DEPUTY COMMISSIONER AND ARBITRATOR,
NATIONAL HIGHWAYS ACT,
OFFICE OF THE DEPUTY COMMISSIONER,
HAVERI DISTRICT, HAVERI.

...RESPONDENTS

(BY SRI. S.N. BANAKAR, ADVOCATE FOR R1;
SMT. KIRTI PATIL, HCGP FOR R2)

THIS MFA IS FILED UNDER SECTION 37(1) OF THE
ARBITRATION AND CONCILIATION ACT 1996, PRAYING TO ALLOW

THIS MISCELLANEOUS FIRST APPEAL AND SET ASIDE THE JUDGMENT DATED 02.03.2023 PASSED BY THE PRINCIPAL DISTRICT AND SESSIONS JUDGE AT HAVERI IN ARBITRATION PETITION NO.73/2022 AS THIS ENHANCED RATE OF RS.1291.68/SQ.MTR IS NOT ONLY VERY EXORBITANT BUT ALSO THERE IS A STAY FROM THE HON'BLE APEX COURT ON THIS RATE IN 7 OTHER SIMILAR CASES & ETC.

IN MFA NO.104751/2024:

BETWEEN

1. THE NATIONAL HIGHWAYS AUTHORITY OF INDIA,
THROUGH ITS PROJECT DIRECTOR,
MR.M. SHIVAKUMAR S/O B. MADIAH
AGE. 54 YEARS, PIU, CHITRADURGA,
HAVING ITS OFFICE AT PIU,
NATIONAL HIGHWAYS AUTHORITY OF INDIA, (NHAI)
NEAR JMIT, NH-48, CHITRADURGA.
2. SPECIAL LAND ACQUISITION OFFICER
NATIONAL HIGHWAY AUTHORITY OF INDIA,
NH-48(OLD NH-4) NEAR CHAMUNDESHWARI TEMPLE,
KSRTC DEPOT ROAD, CHITRADURGA-577501.

...APPELLANTS

(BY SRI. SAGAR LADDA, ADVOCATE)

AND

1. BHARAMAPPA TIRAKAPPA KULI
R/O. ALADHAKATTI, TAL. AND DIST. HAVERI.
2. THE DEPUTY COMMISSIONER AND ARBITRATOR,
NATIONAL HIGHWAYS ACT,
OFFICE OF THE DEPUTY COMMISSIONER,
HAVERI DISTRICT, HAVERI.

...RESPONDENTS

(BY SRI. S.N. BANAKAR, ADVOCATE FOR R1;
SMT. KIRTI PATIL, HCGP FOR R2)

THIS MFA IS FILED UNDER SECTION 37(1) OF THE ARBITRATION AND CONCILIATION ACT 1996, PRAYING TO ALLOW THIS MISCELLANEOUS FIRST APPEAL AND SET ASIDE THE JUDGMENT DATED 02.03.2023 PASSED BY THE PRINCIPAL DISTRICT AND SESSIONS JUDGE AT HAVERI IN ARBITRATION PETITION NO.74/2022 AS THIS ENHANCED RATE OF RS.1291.68/SQ.MTR IS NOT ONLY VERY EXORBITANT BUT ALSO HAS A STAY ACCORDED BY HON'BLE APEX COURT IN 7 OTHER SIMILAR CASES & ETC.

IN MFA NO.104752/2024:

BETWEEN

1. THE NATIONAL HIGHWAYS AUTHORITY OF INDIA,
THROUGH ITS PROJECT DIRECTOR,
MR.M. SHIVAKUMAR S/O B. MADIAH
AGE. 54 YEARS, PIU, CHITRADURGA,
HAVING ITS OFFICE AT PIU,
NATIONAL HIGHWAYS AUTHORITY OF INDIA, (NHAI)
NEAR JMIT, NH-48, CHITRADURGA.
2. SPECIAL LAND ACQUISITION OFFICER
NATIONAL HIGHWAY AUTHORITY OF INDIA,
NH-48(OLD NH-4) NEAR CHAMUNDESHWARI TEMPLE,
KSRTC DEPOT ROAD, CHITRADURGA-577501.

...APPELLANTS

(BY SRI. SAGAR LADDA, ADVOCATE)

AND

1. KODIBASAPPA BASAPPA MATTUR
R/O. ALADHAKATTI, TAL. AND DIST. HAVERI.
2. THE DEPUTY COMMISSIONER AND ARBITRATOR,
NATIONAL HIGHWAYS ACT,
OFFICE OF THE DEPUTY COMMISSIONER,
HAVERI DISTRICT, HAVERI.

...RESPONDENTS

(BY SRI. S.N. BANAKAR, ADVOCATE FOR R1;
SMT. KIRTI PATIL, HCGP FOR R2)

THIS MFA IS FILED UNDER SECTION 37(1) OF THE ARBITRATION AND CONCILIATION ACT 1996, PRAYING TO ALLOW THIS MISCELLANEOUS FIRST APPEAL AND SET ASIDE THE JUDGMENT DATED 02.03.2023 PASSED BY THE PRINCIPAL DISTRICT AND SESSIONS JUDGE AT HAVERI IN ARBITRATION PETITION NO.72/2022 AS THE SAID ENHANCED RATE OF RS.1,291.68 IS NOT ONLY VERY EXORBITANT BUT ALSO STAYED BY THE HON'BLE APEX COURT IN 7 OTHER SIMILAR CASES & ETC.

THESE APPEALS HAVING BEEN HEARD AND RESERVED ON 29.10.2025 AND COMING ON FOR PRONOUNCEMENT OF JUDGMENT THIS DAY, **S G PANDIT J.**, DELIVERED THE FOLLOWING:

CORAM: THE HON'BLE MR. JUSTICE S G PANDIT
AND
THE HON'BLE MRS JUSTICE GEETHA K.B.

CAV JUDGMENT

(PER: THE HON'BLE MR. JUSTICE S G PANDIT)

The above batch of appeals are filed under Section 37(1) of the Arbitration and Conciliation Act, 1996¹ by the National Highway Authority of India², questioning the common judgment dated 2.3.2023 passed in Arbitration Petition Nos.72, 73 & 74 of 2022, on the file of learned Prl. District and Sessions Judge, Haveri, whereunder the appellants' challenge to the awards dated 12.01.2022 passed by the learned Arbitrator/Deputy Commissioner, Haveri in LAQ/ARBT/NH/CR/No.185/2004-05, LAQ/ARBT/NH/CR/No.77/2004-05, LAQ/ARBT/NH/CR/No.79/2004-05 and LAQ/ARBT/NH/CR/No.186/2004-05, is rejected by confirming the said awards.

2. Along with the above appeals, IA No.1/2025 is filed under Section 5 of the Limitation Act, 1963 praying to condone the delay of 441 days in preferring the appeals.

¹ For short 'Act, 1996'

² For short 'NHAI'

3. Heard the learned counsel Sri. Sagar Ladda for the appellants in all the above appeals, learned counsel Sri. S.N. Banakar for respondent No.1 as well as Smt. Kirti Lata Patil, learned HCGP for respondent No.2/State on IA No.1/2025.

4. Learned counsel Sri. Sagar Ladda for the appellants/NHAI would submit that impugned common judgment was passed on 2.3.2023 and the present appeals were filed before this Court on 14.08.2024. He submits that there is delay of 441 days, which is not deliberate and as the delay is bonafide, he prays for condoning the delay in preferring the appeals. Learned counsel would submit that there are number of connected/identical matters, which made it difficult for the appellants to keep a track at all times. Further, learned counsel would submit that the appellants are the government public exchequer authorities, who are dealing with hundreds of such matters on a daily basis. As such, he submits that the delay in approaching this Court is the result of handling such excessive matters among other reasons. However, he submits that mere reason of delay cannot be a

ground to reject the appeals, since the impugned judgments would have far reaching implications on the public exchequer.

5. Per contra, learned counsel Sri. S.N. Banakar for respondent No.1 would submit that there is inordinate delay of 441 days in approaching this Court by NHAI and in the affidavit accompanying the application for condonation of delay, no acceptable reasons are forthcoming to condone the delay. He submits that there is no bonafide and as there is no acceptable cause is shown, IA No.1/2025 requires to be rejected, consequently appeals also.

6. Learned counsel Sri. S.N. Banakar would further submit that the acquisition proceedings under NHAI were commenced by issuing preliminary notification dated 19.3.2001 and final notification dated 3.1.2002, until this date, the claimant has not received entire compensation. Learned counsel referring to the objections filed to IA No.1/2025, prays for dismissal of IA No.1/2025 for condonation of delay.

7. Having heard the learned counsel for the parties and on perusal of the affidavit accompanying the application

(IA No.1/2025) for condonation of delay as well as objections filed opposing the said IA, the only question, which falls for consideration is, *whether the appellants have shown sufficient cause for condoning the inordinate delay of 441 days in preferring the appeals filed under Section 37(1) of the Act, 1996.*

8. Answer to the above point would be in the “negative” for the following reasons:

9. The first respondent’s lands were acquired for formation of national highway by issuing preliminary notification under Section 3(A) of the National Highways Act, 1956³, dated 19.3.2001 and final notification under Section 3(D) of the NH Act, dated 3.1.2002. The award determining the compensation in respect of acquired lands was passed on 28.8.2004, fixing the market value for non-agricultural land at Rs.47.33/- per sq.mtr. Not being satisfied with the market value determined in the award, the 1st respondent-land loser preferred reference before the learned Arbitrator. The learned Arbitrator under award dated 12.01.2022, enhanced the

³ For short, ‘NH Act’

market value of the acquired land at Rs.1,291.68 per sq.mtr. with statutory benefits. Questioning the said awards passed by the learned Arbitrator, the NHAI approached the learned Prl. District and Sessions Judge, Haveri in the aforesaid arbitration petitions, which were dismissed under impugned common judgment dated 2.3.2023, confirming the awards passed by the learned Arbitrator dated 12.1.2022.

10. Though the impugned common judgment was passed on 2.3.2023, but the above appeals were presented before this Court on 14.8.2024. Admittedly, there is delay of 441 days in preferring the appeals. Along with the appeals, IA No.1/2025 is filed under Section 5 of the Limitation Act, 1963 to condone the delay of 441 days in preferring the appeals. Along with IA No.1/2025, an affidavit of Project Director, NHAI Project Implementation Unit, Chitradurga, dated 19.3.2025 is filed, whereunder the averments are with regard to merit of the appeal and the relevant paragraphs with regard to delay are, paragraphs-10, 13, 14 and 15, which read as under:

"10. Furthermore, the number of matters connected/identical with the impugned proceedings are numerous which has made it difficulty for the Appellants entity to keep a track at all the times.

That the primary responsibility of the Appellants is to ensure swift and smooth planning and execution of the National Highways within its jurisdiction.

13. *The Appellants submit that although the award was passed on 2nd March 2023, the Appellants got the knowledge of the same in the year 2024 itself at which time, the Appellants rushed to apply for a certified copy of the order which was received in the month of July 2024.*
14. *That the Appellants have attempted to approach this Hon'ble Court at the earliest possible and the delay accruing is inadvertent.*
15. *That the Appellants are government public exchequer authorities who are dealing with hundreds of such matters on a daily basis along with ensuring swift execution of their statutorily mandated duties. The delay of 408 days in approaching this Hon'ble Court was a result of handling such excessive matters among other reasons as mentioned herein. However, mere reason of delay be not considered material since the gross violation of law undertaken by Respondent No.2 has far reaching implications for the public exchequer which would severely impact its statutory public oriented functioning."*

11. The Hon'ble Apex Court in the case of **State of Maharashtra Vs. Borse Bros. Engineers & Contractors (P) Ltd.⁴**, has held that by virtue of Section 37 read with Section 43 of the Act, 1996, the Limitation Act would apply to the appeals that are filed under Section 37 of the Act, 1996. The Hon'ble Apex Court has also made it clear that Articles 116 and 117 of the Limitation Act, as the case may be, would

⁴ (2021) 6 SCC 460

apply. The Hon'ble Apex Court in the same decision at paragraph-55 has observed that, *it is necessary to discover as to what the expression "sufficient cause" means in the context of condoning the delay in filing appeals under Section 37 of the Act, 1996.* The relevant paragraphs are 55, 58 and 63, which read as under:

"55. *Reading the Arbitration Act and the Commercial Courts Act as a whole, it is clear that when Section 37 of the Arbitration Act is read with either Article 116 or 117 of the Limitation Act or Section 13(1-A) of the Commercial Courts Act, the object and context provided by the aforesaid statutes, read as a whole, is the speedy disposal of appeals filed under Section 37 of the Arbitration Act. To read Section 5 of the Limitation Act consistently with the aforesaid object, it is necessary to discover as to what the expression "sufficient cause" means in the context of condoning delay in filing appeals under Section 37 of the Arbitration Act.*

58. *Given the object sought to be achieved under both the Arbitration Act and the Commercial Courts Act, that is, the speedy resolution of disputes, the expression "sufficient cause" is not elastic enough to cover long delays beyond the period provided by the appeal provision itself. Besides, the expression "sufficient cause" is not itself a loose panacea for the ill of pressing negligent and stale claims. This Court, in Basawaraj v. LAO [Basawaraj v. LAO, (2013) 14 SCC 81], has held : (SCC pp. 85-88, paras 9-15)*

"9. Sufficient cause is the cause for which the defendant could not be blamed for his absence. The meaning of the word "sufficient" is "adequate" or "enough", inasmuch as may be necessary to answer the purpose intended. Therefore, the word "sufficient" embraces no more than that which provides a platitude, which when the act done suffices to accomplish the purpose intended in the

facts and circumstances existing in a case, duly examined from the viewpoint of a reasonable standard of a cautious man. In this context, "sufficient cause" means that the party should not have acted in a negligent manner or there was a want of bona fide on its part in view of the facts and circumstances of a case or it cannot be alleged that the party has "not acted diligently" or "remained inactive". However, the facts and circumstances of each case must afford sufficient ground to enable the court concerned to exercise discretion for the reason that whenever the court exercises discretion, it has to be exercised judiciously. The applicant must satisfy the court that he was prevented by any "sufficient cause" from prosecuting his case, and unless a satisfactory explanation is furnished, the court should not allow the application for condonation of delay. The court has to examine whether the mistake is bona fide or was merely a device to cover an ulterior purpose. (See Manindra Land & Building Corpn. v. Bhutnath Banerjee [Manindra Land & Building Corpn. v. Bhutnath Banerjee, AIR 1964 SC 1336] , Mata Din v. A. Narayanan [Mata Din v. A. Narayanan, (1969) 2 SCC 770] , Parimal v. Veena [Parimal v. Veena, (2011) 3 SCC 545 : (2011) 2 SCC (Civ) 1] and Maniben Devraj Shah v. Municipal Corpn. of Brihan Mumbai [Maniben Devraj Shah v. Municipal Corpn. of Brihan Mumbai, (2012) 5 SCC 157 : (2012) 3 SCC (Civ) 24] .)

10. In Arjun Singh v. Mohindra Kumar [Arjun Singh v. Mohindra Kumar, AIR 1964 SC 993] this Court explained the difference between a "good cause" and a "sufficient cause" and observed that every "sufficient cause" is a good cause and vice versa. However, if any difference exists it can only be that the requirement of good cause is complied with on a lesser degree of proof than that of "sufficient cause".

11. The expression "sufficient cause" should be given a liberal interpretation to ensure that substantial justice is done, but only [**Ed.** : The matter between two asterisks has been emphasised in original.] so long as negligence,

inaction or lack of bona fides cannot be imputed to the party concerned [Ed. : The matter between two asterisks has been emphasised in original.] , whether or not sufficient cause has been furnished, can be decided on the facts of a particular case and no straitjacket formula is possible. (Vide Madanlal v. Shyamlal [Madanlal v. Shyamlal, (2002) 1 SCC 535] and Ram Nath Sao v. Gobardhan Sao [Ram Nath Sao v. Gobardhan Sao, (2002) 3 SCC 195] .)

*12. It is a settled legal proposition that law of limitation may harshly affect a particular party but it has to be applied with all its rigour when the statute so prescribes. The court has no power to extend the period of limitation on equitable grounds. 'A result flowing from a statutory provision is never an evil. A court has no power to ignore that provision to relieve what it considers a distress resulting from its operation.' The statutory provision may cause hardship or inconvenience to a particular party but the court has no choice but to enforce it giving full effect to the same. The legal maxim *dura lex sed lex* which means "the law is hard but it is the law", stands attracted in such a situation. It has consistently been held that, "inconvenience is not" a decisive factor to be considered while interpreting a statute.*

13. The statute of limitation is founded on public policy, its aim being to secure peace in the community, to suppress fraud and perjury, to quicken diligence and to prevent oppression. It seeks to bury all acts of the past which have not been agitated unexplainably and have from lapse of time become stale. According to Halsbury's Laws of England, Vol. 28, Para 605 p. 266:

'605. Policy of the Limitation Acts.—The courts have expressed at least three differing reasons supporting the existence of statutes of limitation, namely, (1) that long dormant claims have more of cruelty than justice in them, (2) that a defendant might have lost the evidence to disprove a stale claim, and (3) that persons with good causes of actions should pursue them with reasonable diligence.'

An unlimited limitation would lead to a sense of insecurity and uncertainty, and therefore, limitation prevents disturbance or deprivation of what may have been acquired in equity and justice by long enjoyment or what may have been lost by a party's own inaction, negligence or laches. (See Popat & Kotecha Property v. SBI Staff Assn. [Popat & Kotecha Property v. SBI Staff Assn., (2005) 7 SCC 510] , Rajender Singh v. Santa Singh [Rajender Singh v. Santa Singh, (1973) 2 SCC 705] and Pundlik Jalam Patil v. Jalgaon Medium Project [Pundlik Jalam Patil v. Jalgaon Medium Project, (2008) 17 SCC 448 : (2009) 5 SCC (Civ) 907] .)

14. In P. Ramachandra Rao v. State of Karnataka [P. Ramachandra Rao v. State of Karnataka, (2002) 4 SCC 578 : 2002 SCC (Cri) 830] this Court held that judicially engrafting principles of limitation amounts to legislating and would fly in the face of law laid down by the Constitution Bench in Abdul Rehman Antulay v. R.S. Nayak [Abdul Rehman Antulay v. R.S. Nayak, (1992) 1 SCC 225 : 1992 SCC (Cri) 93] .

15. The law on the issue can be summarised to the effect that where a case has been presented in the court beyond limitation, the applicant has to explain the court as to what was the "sufficient cause" which means an adequate and enough reason which prevented him to approach the court within limitation. In case a party is found to be negligent, or for want of bona fide on his part in the facts and circumstances of the case, or found to have not acted diligently or remained inactive, there cannot be a justified ground to condone the delay. No court could be justified in condoning such an inordinate delay by imposing any condition whatsoever. The application is to be decided only within the parameters laid down by this Court in regard to the condonation of delay. In case there was no sufficient cause to prevent a litigant to approach the court on time condoning the delay without any justification, putting any condition whatsoever, amounts to passing an order in violation of the statutory provisions and it

tantamounts to showing utter disregard to the legislature.”
(emphasis supplied)

63. *Given the aforesaid and the object of speedy disposal sought to be achieved both under the Arbitration Act and the Commercial Courts Act, for appeals filed under Section 37 of the Arbitration Act that are governed by Articles 116 and 117 of the Limitation Act or Section 13(1-A) of the Commercial Courts Act, a delay beyond 90 days, 30 days or 60 days, respectively, is to be condoned by way of exception and not by way of rule. In a fit case in which a party has otherwise acted bona fide and not in a negligent manner, a short delay beyond such period can, in the discretion of the court, be condoned, always bearing in mind that the other side of the picture is that the opposite party may have acquired both in equity and justice, what may now be lost by the first party's inaction, negligence or laches.*

12. In the light of above principles laid down by the Hon'ble Apex Court and on perusal of the averments made in the affidavit filed in support of the application for condonation of delay, we are of the considered opinion that the appellants/NHAI have failed to provide sufficient cause for condoning the delay. Except stating that it was handling the numerous and identical cases and it would affect the public exchequer, it has failed to explain as to why the delay has occurred in preferring the appeal. In the absence of cogent or acceptable reasons or cause, the delay cannot be condoned in a routine manner. The appellants/NHAI have failed to

satisfy that they were prevented by any cause from filing the appeals. Further, the appellants have also failed to explain as to why NHAI could not prefer an appeal in time or why there was inordinate delay of 441 days in preferring the appeal. In the absence of satisfactory explanation for condonation of delay, this Court could not condone the delay.

13. In the affidavit in support of the application for condonation of delay, it is stated that the award was passed on 2.3.2023, but it came to the knowledge of the appellants in the year 2024 and immediately thereafter, they have rushed to obtain certified copy and file the above appeals. On careful perusal of the affidavit, it would not give the details as to why it did not come to the knowledge of the appellants and exactly, when it came to the knowledge of the appellants. The date of applying for certified copy and when certified copy was obtained is also not forthcoming in the affidavit.

14. The main contention of the learned counsel for the appellants was that the appellants/NHAI is a

government authority and if the appeal is not entertained, it would affect the public exchequer. That contention cannot be a ground to condone the delay. Such contention is raised only to cover up the lack sided approach of the officials. It appears that the officials, who were careless in filing the appeals before this Court, on the ground that it affects the exchequer, are seeking special treatment.

15. In an identical circumstance, the Hon'ble Apex Court in the case of ***Shivamma (Dead) by Lrs. Vs. Karnataka Housing Board***⁵, has observed that the State or any of its instrumentalities cannot be accorded preferential treatment in matters concerning condonation of delay under Section 5 of the Limitation Act. The relevant paragraphs of the said judgment read thus:

"212. *The law as it presently stands, post the decision of Postmaster General (supra), is unambiguous and clear. Condonation of delay is to remain an exception, not the rule. Governmental litigants, no less than private parties, must demonstrate bona fide, sufficient, and cogent cause*

⁵ 2025 SCC Online SC 531

for delay. Absent such justification, delay cannot be condoned merely on the ground of the identity of the applicant.

213. *From a combined reading of Bal Kishan Mathur (supra) and Sheo Raj Singh (supra) it is equally manifest that the ratio of Postmaster General (supra) is, in essence, twofold. First, that State or any of its instrumentalities cannot be accorded preferential treatment in matters concerning condonation of delay under Section 5 of the Limitation Act. The State must be judged by the same standards as any private litigant. To do otherwise would not only compromise the sanctity of limitation. The earlier view, insofar as it favoured a liberal approach towards the State or any of its instrumentality is no more the correct position of law. Secondly, that the habitual reliance of Government departments on bureaucratic red tape, procedural bottlenecks, or administrative inefficiencies as grounds for seeking condonation of delay cannot always, invariably accepted as a "sufficient cause" for the purpose of Section 5 of the Limitation Act. If such reasons were to be accepted as a matter of course, the very discipline sought to be introduced by the law of limitation would be diluted, resulting in endless uncertainty in litigation."*

216. *In this regard, the vital test that has to be employed, wherever "sufficient cause" is sought to be demonstrated on the ground of bureaucratic inefficiencies is to distinguish between whether the same is an "explanation" or an "excuse". Although the two may appear to be one and the same, yet there exists a fine but pertinent distinction between an "excuse" and an "explanation".*

229. *Public interest is best served by ensuring efficiency and diligence in governmental functioning, rather than by condoning its lapses as a matter of course. Thus, a liberal inclination towards the State or any of its instrumentalities, in matters of condonation of delay, cannot be adopted, merely on the presumption that, if the delay is not condoned, public interest runs the risk of suffering, by a meritorious matter being thrown out. Public interest lies not in condoning governmental indifference, but*

in compelling efficiency, responsibility, and timely action.

230. *To permit condonation of delay to become a matter of course for the Government would have the deleterious effect of institutionalising inefficiency. It would, in substance, incentivise indolence and foster a culture where accountability for delay is eroded. If the State is assured that its lapses will invariably be excused under the rubric of "public interest," there would remain little incentive for its officers to act with vigilance or for its instrumentalities to streamline procedures for timely action. The consequence would not be the advancement of public interest but rather its betrayal.*

231. *Public interest, therefore, does not lie in condoning governmental negligence, but in compelling efficiency, responsibility, and timely decision-making. This Court has time and again emphasised that liberal condonation of delay on behalf of the State, merely on the ground that refusal might cause the dismissal of a potentially meritorious matter, is a misplaced proposition. Public interest is not synonymous with the cause of the Government; it is, instead, synonymous with the enforcement of rule of law, certainty in legal rights, and an administrative machinery that functions with diligence and accountability.*

16. From the affidavit accompanying the application (IA No.1/2025) for condonation of delay, we are of the considered view that the appellant is negligent and it lacks bonafide or it failed to act diligently and remained inactive in the matter of filing the appeals. In such circumstances and in the absence of sufficient cause for condoning the delay, IA No.1/2025 deserves to

be rejected. Accordingly, IA No.1/2025 filed in the above appeals stand rejected. Consequently, the appeals are ***rejected***.

Pending applications, if any, are disposed of as not surviving for consideration.

Sd/-
(S G PANDIT)
JUDGE

Sd/-
(GEETHA K.B.)
JUDGE

JTR