

The State of H.P. and others vs. Bakshi Ram

CMP(M) No. 1812 of 2025

[Item D-10]

08.07.2026 Present: Mr. Pranay Pratap Singh, Additional Advocate General, for the applicants/appellants.

Mr. Arhant Mahajan and Mr. Rahul Mahajan, Advocates, for the respondent.

CMP(M) No. 1812 of 2025

An application for condonation of delay of 141 days has been filed, which has been duly verified by the Office. The reasons given in the application for condonation of delay by the State are that after the judgment was passed on 19th December, 2024, the certified copy of the judgment was supplied by the Office of the Advocate General on 3rd March, 2025, and the matter was then referred to the office of the Principal Secretary (PW) to the Government of H.P. vide Letter No. 7810-11 dated 25.03.2025 for obtaining necessary advice. The Government, vide letter dated 20.05.2025, advised that the impugned judgment dated 19.12.2024 be assailed. Accordingly, the LPA was prepared by the applicant and was thereafter processed for vetting through the Superintending Engineer, HPPWD, 5th Circle, HP PWD, Palampur, and thereafter filed on 16th July, 2025.

Reply has been filed stating that there is a delay of 232 days and not 149 days, and that there is no explanation for the period from 19th December, 2024 to 3rd March, 2025, on account of which a substantial period of delay remains unexplained.

Counsel for the State, on the other hand, pointed out that the Court normally remains closed for the winter break and reopens in February, and therefore, for the said period, there was actually no delay, as such action could only be taken after the winter vacation.

Keeping in view the averments made in the application, duly supported by an affidavit of the applicant and the settled principles of law laid down in ***Collector Land Acquisition, Anantnag vs. Smt. Katiji and others. (1987) 2 SCC 107***, that each and every day's delay is not to be explained, we are of the considered opinion that delay is liable to be condoned. Resultantly, the delay in filing the appeal is condoned.

Application stands disposed of.

LPA _____ of 2026

Be registered.

Notice. Mr. Arhant Mahajan, Advocate, accepts notice on behalf of the respondent.

List on 20th August, 2026.

(G.S. Sandhawalia)
Chief Justice

(Bipin C. Negi)
Judge

08th July, 2026
(Tarun Singh)