

HIGH COURT OF CHHATTISGARH, BILASPUR

WA No. 159 of 2018

Vinod Kumar Gupta S/o Late Shankar Gupta Aged About 38 Years R/o Village Jamvantpur, Tahsil And Police Station Ramanujganj, District- Balrampur, Chhattisgarh., District : Balrampur, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Revenue Department, Mantralaya, Mahanadi Bhawan, Raipur, District- Raipur, Chhattisgarh, District : Raipur, Chhattisgarh
2. Additional Collector Balrampur, Chhattisgarh, District : Balrampur, Chhattisgarh
3. Sub Divisional Officer, Ramanujganj, District Balrampur, Chhattisgarh, District : Balrampur, Chhattisgarh
4. Tahsildar, Ramanujganj, District- Balrampur, Chhattisgarh, District : Balrampur, Chhattisgarh
5. Bandhan Prasad S/o Devdhari R/o Village Jamvantpur, Tahsil And Police Station Ramanujganj, (Wrogly Mentioned As Ramvantpur), District- Balrampur, Chhattisgarh, District : Balrampur, Chhattisgarh

---- Respondents

For Appellant	:	Shri B.D.Badgayan, Advocate
For State	:	Shri Prafull Bharat, Addl. A.G.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board

21/03/2018

Heard on admission.

This writ appeal is directed against order dated 26/07/2017 along with application for condonation of delay in filing appeal.

2. The present appeal is barred by limitation and there is absolutely no justification in seeking condonation of delay in filing this appeal. Otherwise also, we

find that the learned single judge had dismissed the writ petition on the ground of delay and laches as the petitioner, son of Late Shankar Gupta, sought to assail correctness and validity of order passed by the Revenue Court on 27/06/2006 after 10 years.

3. From the contents of the writ petition, we find that there is no explanation, whatsoever explaining the delay in filing the petition.

Before this Court, learned counsel for the appellant would urge that after the order was passed by the Additional Collector on 27/06/2006, Shankar Gupta died after four months and the writ petitioner / appellant (son of Shankar Gupta), when attained majority, then only he filed writ petition before this Court.

4. These facts are absent in the pleadings of the writ petition so as to explain the enormous delay for a decade. Therefore, on aforesaid consideration, we do not find any merit in this appeal. The writ appeal is therefore dismissed.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Sd/-
(Sharad Kumar Gupta)
Judge