

THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SRI JUSTICE M.GANGA RAO

I.A.No.1 OF 2018 in WRIT APPEAL No.861 OF 2018
and
WRIT APPEAL No.861 OF 2018

COMMON ORDER: (per Hon'ble Sri Justice Sanjay Kumar)

The Chief Executive Officer, Zilla Parishad, Nalgonda District, preferred this appeal aggrieved by the order dated 04.01.2018 passed by a learned Judge of this Court disposing of W.P.No.33533 of 2017 filed by the first respondent herein with certain directions. However, as the appeal was presented with a delay of 61 days, the appellant filed I.A.No.1 of 2018 seeking condonation of the said delay.

Para 2 of the affidavit filed in support of the I.A. purports to offer the reason for the delay. It reads as under:

"I am filing the instant writ appeal challenging the order in Writ Petition No.33533 of 2017 passed by the Learned Single Judge dated 04.01.2018. As such, the copy of Impugned common order was delivered to me on 17.02.2018. In the mean time we are busy with our office duties and to contact our counsel, recently in the 1st week of June, 2018 we contacted our counsel at Hyderabad and came to know that we have to file Appeal before the Hon'ble High Court. I crave leave of this Hon'ble Court to kindly read the contents of brief facts and grounds of appeal as a part and parcel of this affidavit."

We are of the opinion that the aforestated paragraph does not even attempt to offer an explanation for the delay of 61 days in the presentation of the appeal. The practice of filing condonation of delay petitions lackadaisically on the strength of casually drafted affidavits which do not even purport to put forth the semblance of an excuse for seeking condonation of such delay needs to be condemned in no uncertain terms.

A party approaching the Court with delay is duty bound to explain the reasons for such delay. Unfortunately, it has become the habit of the Government and its instrumentalities to assume that the delay would be condoned as a matter of course and need not be justified by offering valid reasons. The aforesaid paragraph 2 in the supporting affidavit clearly demonstrates that this is a case of that nature. We find that no acceptable reason has been offered at all for us to condone the delay.

I.A.No.1 of 2018 in W.A.No.861 of 2018 is accordingly dismissed.
In consequence, W.A.No.861 of 2018 shall stand dismissed.

Other pending miscellaneous petitions, if any, shall also stand dismissed. No order as to costs.

Date: 25.09.2018
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SANJAY KUMAR, J

M. GANGA RAO, J