

THE HON'BLE SRI JUSTICE SURESH KUMAR KAIT
&
THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

I.A.No.1 of 2018
&
WRIT APPEAL No.885 of 2018

ORDER: (per Hon'ble Sri Justice Suresh Kumar Kait)

I.A.No.1 of 2018 is filed by the appellants seeking to condone the delay of 345 days in filing the writ appeal

The writ petition filed by the appellants came to be dismissed for non-prosecution on 10.03.2008 and thereafter, WPMP.No.20076 of 2010 in WPMP(SR) No.82994 of 2010 was filed seeking to condone delay of 817 days for setting aside the order, dated 10.03.2008. Vide the order, dated 17.09.2012, the learned single Judge refused to condone the delay of 817 days by a reasoned order, and accordingly dismissed the said application. Consequently, WPMP No.20076 of 2010 in WPMP(SR) No.82994 of 2010 also came to be dismissed, however, the order, dated 10.03.2008 has become final.

Again, the appellants filed WPMP No.15044 of 2013 in W.P.No.29690 of 1998 seeking to condone the delay of 182 days in filing WPMP No.20076 of 2010 in WPMP(SR) No.82994 of 2010.

Since the order dated 10.03.2008 has become final, therefore, no further application could be entertained, and rightly the learned Single Judge has dismissed WPMP No.15044 of 2013 in W.P.No.29690 of 1998. More over, the present appeal is filed with delay of 345 days and there is no proper explanation to the said delay.

Accordingly, the delay application i.e., I.A.No.1 of 2018 is dismissed. Consequently, the writ appeal shall stand dismissed. No order as to costs.

Pending miscellaneous applications, if any, shall stand closed in consequence.

SURESH KUMAR KAIT,J

ABHINAND KUMAR SHAVILI,J

Date: 09.07.2018
Dsr

