

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.921 of 2018
AND
WRIT APPEAL NO.921 of 2018

COMMON ORDER: (per SK,J)

Tirumala Tirupathi Devasthanams (TTD), Tirupathi, is the appellant. It is aggrieved by the order dated 22.03.2018 passed by a learned Judge of this Court in I.A.No.1 of 2018 in W.P.No.2156 of 2018. However, the appeal was preferred with a delay of 74 days. I.A.No.1 of 2018 was filed by the appellant-TTD seeking condonation of the said delay. Para 2 of the supporting affidavit purports to explain the delay. It reads as under:

'It is submitted that the Hon'ble Single Judge passed the Order on 22.03.2018 in I.A.No.1 of 2018 in W.P.No.2156 of 2018. The present Appeal has to be filed within 30 days from the date of order i.e., 22.03.2018. The 30 days limitation period was expired on 22.04.2018. Due to the unavoidable circumstances, the Appellant could not prefer Appeal within 30 days. There is a delay of 74 days in filing this present Appeal.'

We are therefore constrained to hold that the appellant-TTD has not even made an attempt to explain the reasons for the delay and cited 'unavoidable circumstances' without elaborating what they were.

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 litigants to assume that the delay would be condoned as a matter of course and need not be justified by offering valid reasons. The aforestated paragraph 2 in the supporting

affidavit clearly demonstrates that this is a case of that nature. We therefore find no grounds to condone the delay.

IA.No.1 of 2018 in W.A.No.921 of 2018 is accordingly dismissed. In consequence, W.A.No.921 of 2018 is also dismissed.

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

SANJAY KUMAR,J

M.GANGA RAO,J

Date:19.09.2018

GJ

