

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.1163 OF 2018
and
WRIT APPEAL No.1163 OF 2018

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

The appellant is the petitioner in W.P.(TR).No.1132 of 2017, which was transferred to the file of this Court from the Andhra Pradesh Administrative Tribunal, Hyderabad, upon abolition of the said Tribunal in so far as the State of Telangana is concerned. The said writ petition was dismissed by a learned Judge of this Court by order dated 11.07.2017. Aggrieved thereby, the appellant chose to file this appeal but with a delay of 403 days in its presentation. I.A.No.1 of 2018 was filed by him seeking condonation of the said delay.

Perusal of the affidavit filed in support of the I.A. reflects that the only ground cited by the appellant-petitioner for the delay is that he retired from service during the pendency of the case and did not contact his counsel with regard to the result of the case. He further stated that he contacted his counsel only in June, 2018 and was informed that the case had been dismissed on 11.07.2017. It may be noticed that the appellant-petitioner claimed that he contacted his counsel in June, 2018, but the present appeal was filed only on 29.08.2018. There is no explanation forthcoming as to this period of the delay.

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 affidavit filed by the appellant-petitioner in support of the condonation of delay petition 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.1163 of 2018 is accordingly dismissed.

In consequence, W.A.No.1163 of 2018 is also dismissed.

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

Date: 14.09.2018
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SANJAY KUMAR,J

M. GANGA RAO, J