

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

I.A.No.2 OF 2018 in WRIT APPEAL No.1186 OF 2018  
and  
WRIT APPEAL No.1186 OF 2018

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

The petitioner in W.P.No.25975 of 2010 is the appellant. The said writ petition was dismissed by a learned Judge of this Court *vide* order dated 07.04.2016. The present appeal is sought to be preferred with a delay of 850 days. I.A.No.2 of 2018 was filed by him seeking condonation of the said delay.

However, perusal of the affidavit filed in support of the application demonstrates that the only reason offered by the petitioner-applicant for the said delay was that he filed the appeal on advice and in those circumstances there was a delay of 850 days.

As the delay is substantial, extending to nearly 2½ years, the petitioner-applicant ought to have shown more diligence in explaining it rather than just paying lip service by claiming that, on advice, he is filing an appeal after such a long time.

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.

On the above analysis, we find no grounds to condone the delay.

I.A.No.2 of 2018 in W.A.No.1186 of 2018 is therefore dismissed.

In consequence, W.A.No.1186 of 2018 is also dismissed.

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

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SANJAY KUMAR,J

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M. GANGA RAO, J

Date: 10.09.2018  
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