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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ RSA 62/2018, CM APPL. 15448/2018, CM APPL. 15449/2018,
CM APPL. 15450/2018

DELHI STATE INDUSTRIAL & INFRASTRUCTURE
DEVELOPMENT CORPORATION LTD Appellant

Through: Ms. Renuka Arora, Advocate.

Versus

MADHU JAISWAL Respondent

Through:

CORAM:
HON'BLE MR. JUSTICE NAJMI WAZIRI

% **ORDER**
20.04.2018

CM APPL. 15450/2018 (delay of 772 days in filing appeal)

This application seeks condonation of delay in filing an appeal. The delay is of 772 days. The reason being offered is that after obtaining a certified copy of the impugned order dated 30.11.2015, the appeal was prepared by their counsel and then sent for verification and approval of the appropriate authorities; this led to an oversight and the resultant delay.

Although courts would take an accommodative view apropos appeals or replies filed by Government departments, as there could be administrative delays, for which the Government's interest and the overall public interest should not suffer. However, each case of such delay has to be examined on its individual merits and the jurisprudence does not extend to accommodating and condoning all inordinate or unjustifiable delays by the governmental agencies. The aforesaid reason of 'oversight' is neither sufficient nor is a justifiable explanation for condoning the delay. Nothing

has been stated as to when and how the oversight was noticed; what remedial measures had been taken immediately thereafter and what action had been taken against the persons who were responsible for the oversight, etc.

In the aforesaid circumstances, the appellant cannot be granted the accommodation or under a protective umbrella of ‘oversight’. The delay cannot be condoned. The application is dismissed. Consequently, the appeal and the pending applications too are dismissed.

NAJMI WAZIRI, J.

APRIL 20, 2018/RW/sb