

HON'BLE SRI JUSTICE T.AMARNATH GOUD

M.A.C.M.A.M.P.No.4277 of 2017 in M.A.C.M.A.No.2400 of 2017
in/and
M.A.C.M.A.No.2400 of 2017

JUDGMENT:

M.A.C.M.A.M.P.No.4277 of 2017 is filed to condone the delay of 498 days in filing the main appeal.

In the affidavit filed by the appellants, it is stated that they have applied for the certified copy and after obtaining the certified copy, the same is filed. Therefore, during the course of obtaining the said certified copy, the delay is occurred.

On the other hand, Sri S.Chandraiah, learned counsel for 1st respondent-claimant, through his counter, has categorically stated that the certified copy was obtained by the claimant and the same has been forwarded to the office of the petitioner-Corporation. The petitioner-Corporation has received the same on 09-08-2016 and thereafter, the petitioner-Corporation has preferred this appeal with an inordinate delay of 498 days without filing the appeal within a stipulated time which is unjust and willful default on the part of the petitioner-Corporation and therefore the petition is liable to be dismissed.

This Court perused the original certified copy of the judgment and decree of the award passed by the Court below which is filed along with the appeal and it is apparent on record that Sri S.Chandraiah's name was there on the certified copy and the same is struck off with black ink pen. Hence,

this Court is of the opinion that the deponent has not approached this Court with clean hands and therefore, he cannot be granted any relief.

Therefore, I do not see any valid ground to condone the delay of 498 days in filing the appeal. Accordingly, the M.A.C.M.A.M.P.No.4277 of 2017 is dismissed. Consequently, appeal is also dismissed. No costs.

All the miscellaneous petitions, if any pending, shall stand closed.

JUSTICE T.AMARNATH GOUD

Date: 16.07.2019

Note:-

Office to furnish copy of this order to the 1st respondent-Managing Director, APSRTC, RTC X Roads, Hyderabad.

B/o.
kvr

