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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **C.R.P. 166/2019 & 35049/2019**

COMMISSIONER OF POLICE & ORS

..... Petitioners

Through Mr Dhruv Rohatgi, Advocate.

versus

GAJRAJ SINGH & ORS

..... Respondents

Through

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

O R D E R

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09.08.2019

CM APPL. 35050/2019

1. Allowed, subject to all just exceptions.
2. The application is disposed of.

CM APPL. 35048/2019 (delay) in C.R.P. 166/2019

3. The petitioner has filed the present application for condonation of delay of a period of 354 days in filing the accompanying petition. The application for condonation of delay is bereft of any particulars. Apart from stating that the process of taking legal opinion and engagement and appointment of a panel counsel took a considerable time, there is no other ground indicated for seeking exemption of the delay.

4. It is well settled that the delay has to be explained on day-to-day basis and no such explanation has been made by the petitioner. The learned counsel appearing for the petitioner submits that the delay is caused because

the petitioner is a Government Department. Clearly, the aforesaid contention cannot be accepted. The Supreme Court, in the case of ***Office of The Chief Post Master General and Ors v. Living Media India Ltd. and Anr.: (2012) 3 SCC 563***, held as under:-

“29. In our view, it is the right time to inform all the government bodies, their agencies and instrumentalities that unless they have reasonable and acceptable explanation for the delay and there was bonafide effort, there is no need to accept the usual explanation that the file was kept pending for several months/years due to considerable degree of procedural red-tape in the process. The government departments are under a special obligation to ensure that they perform their duties with diligence and commitment. Condonation of delay is an exception and should not be used as an anticipated benefit for government departments. The law shelters everyone under the same light and should not be swirled for the benefit of a few.”

5. In view of the above, this Court does not find any reason to condone the inordinate delay of 354 days.
6. Accordingly, the revision petition and the applications are dismissed.

VIBHU BAKHRU, J

AUGUST 09, 2019

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