

**HON'BLE SRI JUSTICE M.S. RAMACHANDRA RAO
AND
HON'BLE SRI JUSTICE T. AMARNATH GOUD**

**I.A.No.1 of 2019
IN/AND
M.A.C.M.A.No.3394 of 2019**

ORDER: (per MSR, J)

I.A.No.1 of 2019 in MACMA.No.3394 of 2019 is filed by the A.P. State Road Transport Corporation seeking condonation of the delay of 341 days in presenting the appeal against the Award and decree dt.31.07.2018 in M.V.O.P.No.613 of 2016 passed by the Chairman, Motor Accidents Claims Tribunal (Principal District Judge) at Nalgonda.

In the affidavit filed in support of the application, it is stated that the Award was passed by the Tribunal on 31.07.2018, but copy application for certified copy of the said Award was made by the counsel for the Corporation on 17.08.2019 i.e., more than a year later. Thereafter, the copy was issued on 04.09.2019 and the appeal was filed before this Court on 23.10.2019. The entire blame is placed on the learned Standing Counsel for the Corporation for the delay which occurred in filing the appeal.

In OFFICE OF THE CHIEF POST MASTER GENERAL vs. LIVING MEDIA INDIA LIMITED¹, the Apex Court strongly deprecated practice of the State and State Entities in challenging adverse orders passed against them after an

¹ (2012) 3 SCC 563

inordinate delay, blaming impersonal Administrative machinery for the said delay.

In the instant case, the A.P. State Road Transport Corporation has a Legal Department and several of its employees will be in contact with the Standing Counsel. It is the duty of the employees of the said Corporation to keep track of what is happening with the matters relating to the Corporation in the Court below and they cannot throw entire blame on the Standing Counsel for the delay by abdicating their responsibility to secure certified copies or take steps to file an appeal within the time permitted by law.

In our considered opinion, the State Corporation has been negligent in not ensuring that application for certified copy of the Award passed by the Court below was made promptly by the Standing Counsel and that sufficient cause has not been shown for condonation of inordinately long period of delay of 341 days in filing the appeal.

Accordingly, I.A.No.1 of 2019 is dismissed.

Consequently, M.A.C.M.A.No.3394 of 2019 is also dismissed. No order as to costs.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

M.S. RAMACHANDRA RAO, J

T. AMARNATH GOUD, J

22.01.2020.
Msr

HON'BLE SRI JUSTICE M.S. RAMACHANDRA RAO
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Msr