

Manushree

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 41 OF 2010
IN
LETTERS PATENT APPEAL NO.43 OF 2008**

The State of Maharashtra	...Applicant
<i>Versus</i>	
The Registrar Shivaji University, and Ors	...Respondents

Mr P G Sawant , *AGP for the State/Applicant.*
Mr R M Pethe, *for the Respondent.*

**CORAM G.S. Patel &
 M.G. Sewlikar, JJ.**
DATED: 8th June 2022

PC:-

1. The Civil Application seeks a recall of order dated 16th April 2008 at Exhibit “3”. By that order, the Division Bench dismissed the State Government’s LPA No.43 of 2008. It did so inter alia noting that the order in the Writ Petition No.2992 of 1995, from which the LPA arose, was of 10th January 2003. The Writ Petition was disposed of on a concession made by the State Government through the learned AGP.

2. Apart from this, the Division Bench noted that there was a gross and unexplained delay of 735 days. Even this was condoned after making an order of costs against the State. Despite that delay being condoned, the State did not make any effort to have the appeal listed for admission for as long as two years.

3. Now the present Civil Application finds fault with this order on the usual ground that because the Appellant is a State Government, therefore it moves in a slow, almost glacial, pace. Consequently, all Courts, must, the suggestion goes, condone gross delays. Administrative procedures are cited.

4. All this is singularly unimpressive. Governments are now sufficiently well equipped and nimble enough to move with great despatch when they feel the need. There is absolutely no reason in June 2022 to attempt a restoration on these grounds in a Civil Application of 2010 regarding an LPA of 2008.

5. The Civil Application is dismissed.

6. There will be no orders of costs.

(M.G. Sewlikar, J)

(G. S. Patel, J)