



C.M.P. No.11389 of 2022
in W.A. SR. No.40195 of 2022

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PARESH UPADHYAY, J.
And
V.BHAVANI SUBBAROYAN, J.

(Order of the Court was made by PARESH UPADHYAY, J.)

This is the petition to condone the delay of 1564 days in filing the appeal.

2. Learned Additional Advocate General for the petitioner/ State Authority has submitted that for administrative reasons this delay has caused and delay be condoned.

3. This petition is vehemently opposed by the learned advocate for the original writ petitioners. It is submitted that the question is of terminal dues to the poor workmen and therefore the delay of years, almost half a decade, can not be condoned by accepting the mere say that there was administrative delay. It is submitted that this petition be dismissed.

4. Having heard learned advocates for the respective parties and having considered the material on record, though we find prima facie that the explanation offered by the State for these many years can not



be accepted as it is, however we find that, since the non-interference in the order of learned single Judge on the ground of delay may also result in financial consequence on the State exchequer, let the State be heard on merits.

5. For the above reason, the objection of the original writ petitioners is over ruled. Delay is condoned and this petition is allowed.

(P.U.J.) (V.B.S.J.)
16.08.2022

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**PARESH UPADHYAY, J.
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V.BHAVANI SUBBAROYAN, J.**

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