



WEB COPY



CMP Nos.11189, 11202, 11190 of 2023

and

WA Nos.SR 40528, 40583, 40584 of 2023

THE HON'BLE CHIEF JUSTICE

and

P.D.AUDIKESAVALU, J.

(Order of the Court was made by the Hon'ble Chief Justice)

These applications are filed for condonation of delay of 346 days in filing the appeals.

2. Heard Mr.Raman Lal, learned Additional Advocate-General and Ms.Asra Bajaj, learned counsel for the first respondent and Mr.T.Ravi Kumar, learned counsel for the second respondent.

3. Learned counsel for the non-applicant opposes the application on the ground that no sufficient cause is mentioned. In fact, the cause mentioned of documents of 2014 not being available is absolutely incorrect. The documents were part of the counter-affidavit. The another reason mentioned is of Covid period. The office of the Government was functioning. As such, the applicant cannot avail the said ground.



WEB COPY



THE HON'BLE CHIEF JUSTICE
and
P.D.AUDIKEVALU, J.

(tar)

4. We have considered the submissions made by the learned counsel for the parties. It appears that the learned Single Judge passed the order on 08.12.2020, when the Covid period was in force. Reasons have been given in the accompanying affidavit. The applicant was not to gain by the delay. The issue is with regard to the revenue. The applicants will have every opportunity to contest the appeals on merits. It is trite that whenever technical considerations and cause for substantial justice are pitted against each other, the cause for substantial justice has to be sub-served.

5. For the reasons stated in the accompanying affidavit, the delay caused in filing the appeals is condoned. The applications are allowed and disposed of.

(S.V.G., CJ.)

(P.D.A., J.)

04.09.2023

tar

CMP Nos.11189, 11202, 11190 of 2023
and
WA Nos.SR 40528, 40583, 40584 of 2023