KABORAMBA M SANDEEP SINGH
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Item No. 10

IN THE HIGH COURT OF MANIPUR
AT IMPHAL

MC (W.A.) No. 63 of 2019
[Ref: W.A. No. 65 of 2019]

State of Manipur; & Ors.

Applicants

Vs.

Kh. Lupenjit Singh; & Anr.

Respondents

BEFORE
HON'BLE THE CHIEF JUSTICE MR. SIDDHARTH MRIDUL
HON'BLE MRS. JUSTICE GOLMEI GAIPHULSHILLU KABUI

O R D E R

14.10.2024

Siddharth Mridul, C.J. :

Mr. S. Nepolean, learned senior counsel, appears on behalf of the applicants.

The present application has been instituted on behalf of the State of Manipur, praying as follows:

> *"In the premises stated above, Your Lordships' may be graciously pleased to the sufficient cause for condoning the unintentional delay of 103 days only in filing the accompanying Writ Appeal and the same be heard on merit as the ends of justice may call for."*

None appears on behalf of the non-applicants/respondents. Despite repeated opportunities, no affidavit-in-opposition to the present application has been filed on behalf of the non-applicants.

Having heard the learned counsel appearing on behalf of the applicants and in terms of the decision of the Hon'ble Supreme Court in **State (NCT OF DELHI) Vrs. Ahmed Jaan**, reported as **(2008) 14 SCC 582** and in particular paragraph 13 thereof; as well as the decision of the 3(three) Judge Bench

of the Hon'ble Supreme Court in **State of Manipur & ors. Vrs. Koting Lamkang**, reported as **(2019) 10 SCC 408** and in particular paragraph 8 thereof; since the proceedings instituted on behalf of the State are not personal to its officers and the paramount consideration is that institutional interest ought not to suffer by resorting to technicalities of delay to defeat hearing on merits; the delay of 103 days in filing the accompanying writ appeal is condoned.

Accordingly, the present application for condonation of delay is allowed and disposed of.

JUDGE **CHIEF JUSTICE**

Sandeep