APHC010255282023

IN THE HIGH COURT OF ANDHRA PRADESH ::
AMARAVATI
(Special Original Jurisdiction)

[3446]

FRIDAY ,THE FIRST DAY OF MARCH
TWO THOUSAND AND TWENTY FOUR

PRESENT

HONOURABLE THE CHIEF JUSTICE DHIRAJ SINGH THAKUR

THE HONOURABLE SRI JUSTICE R RAGHUNANDAN RAO

I.A.No.3 of 2023
in/and
WRIT APPEAL NO: 1137 OF 2023

Between:

THE AP STATE WAKF BOARD ...**APPELLANT(S)**

AND

SALEEMA BEGUM AND OTHERS ...**RESPONDENT(S)**

Counsel for the Appellant(s) :Sri Mohammed Gayasuddin

Counsel for Respondent No.1 : Sri Murali Lincoln

Counsel for respondent Nos.2, 3 & 6 : Government Pleader for Revenue

Counsel for respondent No.4 & 5 : Government Pleader for Registration & Stamps

The Court made the following:

P C:

IA.No.3 of 2023 is an application seeking condonation of 238 days delay in preferring the present appeal against the judgment and order, dated 17th August, 2022 passed in WP.No.5593 of 2021.

The appeal was preferred finally on 12th May, 2023.

2. It is stated that a copy of the order impugned was received by the applicant on 21st November, 2022. It is further stated that on the date of receipt of the order from the Court, since there was no standing counsel for some period, the appeal could not be filed immediately thereafter. Further, the standing counsel was appointed on 14th December, 2022 where-after the appeal came to be preferred on 12th May, 2023.

3. On a perusal of the averments made in the application, even if one were to accept the explanation that upto 14th December, 2022 the appeal could not be filed on account of non availability of a standing counsel, yet, there is no satisfactory explanation rendered to explain the delay from 14th December, 2022 onwards till the actual filing of the present appeal on 12th May, 2023. The explanation rendered by learned counsel for the applicant that there was too much of work for the standing counsel on account of which the delay occurred, to us, does not seem to be a satisfactory explanation for purposes of condoning the delay in preferring the present appeal.

4. IA.No.3 of 2023 is therefore found to be without merit and is accordingly dismissed. Consequently, the Writ Appeal also stands dismissed. No order as to costs.

Miscellaneous applications pending, if any, shall also stand dismissed.

DHIRAJ SINGH THAKUR, CJ **R. RAGHUNANDAN RAO, J**

Vjl