

IN THE HIGH COURT OF JHARKHAND AT RANCHI
S.A. No. 266 of 2008

The State of Bihar (Now Jharkhand) & Ors.

.... Appellants

Versus

Smt. Upasi Devi & Anr.

.... Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Appellants : Mr. Praveen Akhouri, SC Mines-I
 : Mr. Diva Kant Roy, AC to SC Mines-I
For the Respondents : Mr. A.K. Sahani, Advocate

Order No.07 Dated- 05.09.2022

I.A. No.3723 of 2008

Heard the parties.

This interlocutory application has been filed with a prayer to condone the delay of 60 days in filing this second appeal.

It is submitted by the learned counsel for the appellants that on receipt of the file, the Law Department sent the file to the office of the Advocate General for information with regard to desirability of filing appeal and after seeking opinion, the file was returned to the office of the Law Secretary on which sanction was granted and the file was sent back to the appellants. It is further submitted that on receipt of sanction, the file was again sent through the Law Department to the office of the Advocate General for entrusting it to the State counsel for filing this appeal, which resulted in the delay of 60 days in filing the instant second appeal. It is then submitted that the appellants have very good grounds to agitate in this appeal and unless the delay is condoned, the appellants will be highly prejudiced.

Mr. A.K. Sahani, the learned counsel for the respondents vehemently opposes the prayer for condonation of delay and submits that because of the red tapism of the appellants, there is no justifiable reason to condone the delay.

Considering the facts that this petition for condonation of delay is taken up for hearing 14 years after its filing, this Court is of the considered view that this is a fit case where the delay of 60 days is to be condoned. Accordingly the delay of 60 days in filing this appeal is condoned.

This interlocutory application is disposed of accordingly.

(Anil Kumar Choudhary, J.)

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The learned counsel for the appellants prays for time.

Prayer for time is allowed as the last chance.

List this appeal after four weeks.

Sonu-Gunjan/-

(Anil Kumar Choudhary, J.)