

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal(Civil)..../2001
(CC:1123)
(From the judgement and order dated 04/09/1996 in OA 3097/94
of The HIMACHAL PRADESH ADMINISTRATIVE TRIBUNAL AT SHIMLA)

STATE OF H.P. AND ANR.

Petitioner (s)

VERSUS

HARI SINGH

Respondent (s)

(With I.A. No.1) - For c/delay in filing SLP & an appln. for c/delay
in refiling SLP with Office Report)

Date : 23/02/2001 This Petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE R.C. LAHOTI
HON'BLE MR. JUSTICE BRIJESH KUMAR

For Petitioner (s) Mr. Naresh K. Sharma, adv.

For Respondent (s)

UPON hearing counsel the Court made the following
O R D E R

.....L.....I.....T.....T.....T.....T.....T.....T.....J
.SP2

Apart from the delay in filing the special leave
petition of more than 1100 days, there has been a delay in
refiling the special leave petition of 412 days. I.A. 1
and I.A. 2 have been filed seeking condonation of delay in
filing and refiling of the special leave petition.

In I.A. No.2, which seeks condonation of delay in
refiling the special leave petition, the only ground on
which condonation is sought is contained in paragraph 3 of
the application which reads thus :

...2/-

.PA

: 2 :

.....L.....I.....T.....T.....J
.SP1

"That the Advocate for the
petitioner had in the meanwhile sent
his memo of expenses to the office
of the District Attorney for filing
the 110 connected special leave
petitions. The District Attorney in
turn had sent the same to Shimla for
sanction and clearance. Due to the
fact that a large number of matters

were filed at the same time, the amount of expenses claimed by the advocate, though at the same scale as was being claimed by him in other matter, came to a large amount. This became a matter of some unwarranted objections by the officials of the state government. As the advocate had already spent a huge amount from his own pocket, and the removal of expenses could not be undertaken till the settlement of the matter."

.....L.....I.....T.....T.....T.....T.....T.....T.....J
.SP2

We are afraid that this explanation does not give any sufficient cause much less a reasonable cause for condonation of delay in refileing. We are also not satisfied with the explanation for inordinate delay in filing the S.L.P. Both the applications are, accordingly, rejected. Consequently, the special leave petition is dismissed as barred by time.

.SP1

(Neena Verma)
Court Master

(Prem Prakash)
Court Master