

(1992) 11 SC CK 0067

Supreme Court of India

Case No: Slp (Civil) No. 15439 Of 1992 With I.A No. 1(Cc 18223)

State of U.P. and Another

APPELLANT

Vs

Vinod Prakash Tayal and Others

RESPONDENT

Date of Decision: Nov. 16, 1992

Citation: (1995) 4 SCC 411 Supp

Hon'ble Judges: N. P. Singh, J; M. N. Venkatachaliah, J

Bench: Division Bench

Final Decision: Dismissed

Judgement

@JUDGMENTTAG-ORDER

1. WE have heard learned counsel for the petitioners and learned counsel for the caveator. The points urged by the learned counsel on the merits of the view taken by the High court is eminently arguable. We are afraid the High court was perhaps not justified in its view that inaction in other cases would bar initiation of action against the respondents particularly when the statute makes these acts offences under the law. The dismissal of the writ petition preferred by the State against the order of the prescribed authority is vulnerable both in the reasoning as well as in the conclusion reached. However, there is one impediment in entertaining this special leave petition. There is delay of 149 days, the explanation for which is wholly unsatisfactory. The mere reliance on interdepartment correspondence cannot advance the petitioner's case for the condonation of this inordinate delay. The time taken for such deliberations must be sensible and reasonable. In this case, it is neither.

2. WE find it difficult to condone this inordinate delay of 149 days. The State government shall sit up and take note of such lapses on the part of its officers which will harm public interests. No officer loses personally when appeals of government are lost for delay. But there are cases, as here, where public interest suffers on account of such inaction.

3. WE dismiss I.A. for condonation of delay. Consequently, Special Leave Petition is dismissed as barred by time. court Masters