

Supreme Court of India

Union Of India vs Vidarbhabenaer Industries on 13 August, 1993

Equivalent citations: 1994 SCC, Supl. (2) 696

Author: J S Verma

Bench: Verma, Jagdish Saran (J)

PETITIONER:

UNION OF INDIA

Vs.

RESPONDENT:

VIDARBHAVENAER INDUSTRIES

DATE OF JUDGMENT 13/08/1993

BENCH:

VERMA, JAGDISH SARAN (J)

BENCH:

VERMA, JAGDISH SARAN (J)

BHARUCHA S.P. (J)

CITATION:

1994 SCC Supl. (2) 696

ACT:

HEADNOTE:

JUDGMENT:

ORDER There is an inordinate delay in filing these special leave petitions. The only submission made by the learned counsel for the petitioners raised on the averments in the application for condonation of delay is that the relevant file was misplaced for quite some time in the office of the Central Agency and these special leave petitions were filed after some delay even though that file could not be traced. There is nothing in the application for condonation of delay to indicate the action taken to find out how the file got lost or to fix the responsibility of someone who should be accountable for the same. Learned counsel, even today, is unable to indicate the same. We also enquired whether any action has been taken so far to identify the person responsible for the lapse and to fix responsibility for the same. Apparently, no such action has been taken as yet. This being so, a mere statement that the relevant file was lost in some office cannot be treated as sufficient cause for condonation of inordinate delay. It may have been a different matter had the logical action been taken by the petitioners to identify the persons responsible for the lapse and the necessary action taken against him while ensuring further a non-repetition of similar + From the Judgment and Order dated 25-10-1991 and 5-3- 1992 of the High Court of Bombay in W.P. No. 301 of 1982 and

Misc. C.A. No. 43 of 1992 lapses which, we are sorry to say, are not uncommon in special leave petitions filed by the Union of India. We are constrained to make these observations in view of the fact that the SLPs filed on behalf of the Union of India are quite often barred by time and the application for condonation of delay is made in a casual and routine manner without indicating facts which would constitute sufficient cause to permit condonation of delay in accordance with law. I.A. Nos. 1 and 2 for condonation of delay are rejected. Consequently, the special leave petitions are dismissed as time barred.

Court Master