

ITEM NO.23 Court 9 (Video Conferencing) SECTION II

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

SPECIAL LEAVE PETITION (CRIMINAL) Diary No(s). 2158/2021

(Arising out of impugned final judgment and order dated 05-12-2019 in CRLA No. 577/2006 05-12-2019 in CRLA No. 578/2006 05-12-2019 in CRLA No. 619/2006 05-12-2019 in CRLA No. 636/2006 passed by the High Court For The State Of Telangana At Hyderabad)

THE STATE OF TELANGANA ETC. Petitioner(s)
VERSUS
B. CHARANDAS ETC. ETC. Respondent(s)

(FOR ADMISSION and I.R. and IA No.17160/2021-CONDONATION OF DELAY IN FILING and IA No.17161/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date :12-02-2021 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
HON'BLE MR. JUSTICE HRISHIKESH ROY

For Petitioner(s) Ms. Bina Madhavan, Adv.
Mr. S. Udaya Kumar Sagar, AOR
Ms. Sweena Nair, Adv.

For Respondent(s)

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

Application for exemption from filing c/c of
the impugned judgment is allowed.

IA No.17160/2021-CONDONATION OF DELAY IN FILING SLP

The delay of 329 days in filing the SLP is sought to be explained by learned counsel for the petitioner by reference to the application, wherein it is stated that certain relevant documents were in Telugu and had to be translated. It is her submission that even the testimonies have not been

received by her. The excuse of Covid-19 is not admissible as the judgment was pronounced on 05.12.2019. Insofar as the documents and testimonies are concerned, the petitioner is a prosecuting agency and it is very amazing for it to plead that it is not in possession of the relevant material.

We are clearly of the view that this is one more "certificate case" to complete a formality of filing the appeal. However, we do find that the merits of the matter needs some examination and would not like to give certificate straightaway which is the purpose, it appears, for which this petition has been filed.

We thus consider appropriate to condone the delay subject to deposit of Rs.25,000/- as costs with the Supreme Court Employees Mutual Welfare Fund and the cost be recovered from the officers responsible for delay in filing the SLP. The costs be deposited and certificate of recovery be filed within the four weeks.

Application disposed of, subject to deposit of costs within stipulated time.

Diary No(s). 2158/2021

Subject to compliance of the aforesaid, let notice issue.

(CHARANJEET KAUR)
ASTT. REGISTRAR-cum-PS

(POONAM VAID)
COURT MASTER (NSH)