

ITEM NO.43+44

COURT NO.2

SECTION IX

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 38781/2017

(Arising out of impugned final judgment and order dated 23-12-2016 in WP No. 5481/2016 passed by the High Court Of Judicature at Bombay)

THE STATE OF MAHARASHTRA & ORS.

Petitioner(s)

VERSUS

ZAMIL STEEL BUILDING INDIA PVT. LTD.

Respondent(s)

(IA No.139546/2017-CONDONATION OF DELAY IN FILING SLP and IA No.139547/2017-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Diary No(s). 33138/2017 (IX)

(IA No.127695/2017-CONDONATION OF DELAY IN FILING SLP and IA No.127698/2017-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.127702/2017-CONDONATION OF DELAY IN REFILING SLP)

WITH

Diary No(s). 38775/2017 (IX)

(IA No.139774/2017-CONDONATION OF DELAY IN FILING SLP and IA No.139775/2017-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Diary No(s). 41828/2017 (IX)

Diary No(s). 41831/2017

Diary No(s). 41835/2017

Diary No(s). 41837/2017

Date : 10-01-2018 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J. CHELAMESWAR

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL

For Petitioner(s) Mr. Shyam Divan, Sr. Adv.
Mr. Kunal Cheema, AOR
Mr. Udayaditya Banerjee, Adv.

For Respondent(s) Mr. Harish N. Salve, Sr. Adv.
Mr. Arvind P. Datar, Sr. Adv.
Mr. Ravinder Narain, Adv.
Mr. Ajay Aggarwal, Adv.

Ms. Mallika Joshi, Adv.
Mr. Rajan Narain, AOR

Mr. V. Lakshmikumaran, Adv.
Mr. L. Badri Narayanan, Adv.
Mr. Aditya Bhattacharya, Adv.
Mr. Victor Das, Adv.
Ms. Apeksha Mehta, Adv.
Mr. Punit Dutt Tyagi, AOR

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

Upon mentioning, Diary No(s). 41831/2017, 41835/2017 and 41837/2017 are taken on Board today along with the matters listed today.

Issue notice on the application for condonation of delay which is accepted by learned counsel for the respondent(s).

Application(s) of condonation of delay filed by the petitioners is one more endeavour by the Government authorities to give a lame excuse of inter-departmental movement of files for the delay. This is despite the caution extended by this Court in Postmaster General and Others Vs. Living Media India Ltd. and another 2012(3) SCC 563 that with the computerisation and other facilities available, such excuses are not acceptable. The authorities seemed to have learnt nothing and done nothing.

In the given facts of the case, we are of the view that the authorities must be made to pay for such extraordinary delays and considering the amounts involved, we quantify the cost as Rs. 30,00,000/- (Rupees Thirty Lakhs only) to be deposited by the petitioners, in all the matters together, with Maharogi Sewa Samiti, Warora, At & Post: Anandwan, Tehsil: Warora, District: Chandrapur, Maharashtra, India-442914 within a period of four weeks

from today. Application(s) for condonation of delay are allowed in the aforesaid terms.

Issue notice in the special leave petitions which is accepted by learned counsel for the respondent(s).

Counter affidavit, if required to be filed, be filed within four weeks.

Rejoinder affidavit, if any, be filed within two weeks thereafter.

List in the 3rd week of March, 2018.

(DEEPAK MANSUKHANI)
AR-cum-PS

(RAJINDER KAUR)
Court Master