
(2010) 11 KL CK 0158

In the High Court Of Kerala

Case No : W.A. No. 1921 of 2010 and C.M. Application No. 946 of 2010

A. Jose

APPELLANT

Vs

State of Kerala

RESPONDENT

Date of Decision : 19-11-2010

Acts Referred:

Citation : (2010) 11 KL CK 0158

Hon'ble Judges : Jasti Chelameswar, C.J;P.R. Ramachandra Menon, J

Bench : Division Bench

Advocate : T.M. Abdul Latheef, for the Appellant; No Appearance, for the Respondent

Judgement

J. Chelameswar, C.J.—C.M. Appln. No. 946 of 2010 is filed with the prayer as follows:

For the reasons stated in the accompanying affidavit it ishumbly prayed that this Honourable Court may be pleased to condone the delay of 1260 days in filing the above Writ Appeal.

2. The applicant prays that the delay of 1260 days in preferring the above writ appeal against the judgment dated 27th October, 2006 in O.P. No. 19438 of 2001 be condoned. A cryptic affidavit running into three paragraphs is given in support of the above application. The relevant portion, if at all can be called relevant, reads as follows:

In the above case judgment was rendered on 27th October 2006. Thereafter though my counsel has sent me letter I have not reached the same. Recently my counsel was under the impression that the address in which the letter was sent might have changed. However recently when I went to the Village Officer, in the month of January 2010, the Village Officer told me about the disposal of my case and accordingly I made enquiry and application was filed. Copy of the judgment was obtained on 22.1.2010 and thereafter I made attempt by approaching the Sales Tax authorities to settle the liability in instalment. But they told that the

entire amount should be paid. Hence I am filing the above Writ Appeal as I am not liable at all and as the judgment passed by the learned single judge is not correct. I have raised substantial grounds in the Writ Appeal.

3. It can be seen from the above that except bald assertions no specific statement explaining the delay is made. In the circumstances, the application is dismissed.

4. Consequently the writ appeal stands dismissed.