

(2017) 06 UK CK 0009
In the Uttarakhand High Court
Case No : 52 of 2017

**Commissioner, Commercial Tax, Uttarakhand, Dehradun Vs M/S
Dynamic Electronics & Switch Gear Pvt. Ltd.**

Date of Decision : 05-06-2017

Acts Referred:

Citation : (2017) 06 UK CK 0009

Hon'ble Judges : K.M. Joseph, Alok Singh

Bench : Division Bench

Advocate : Pradeep Joshi

Judgement

CLMA No. 4582 of 2017

1. Though time to file supplementary affidavit, explaining the delay, was granted but supplementary affidavit has not been filed. There is a delay of 1414 days in filing the revision. Reasons for condonation of delay are contained in paragraph nos. 3 to 6. Paragraph nos. 3 to 6 read as under :

"3. That after receiving the copy of the judgment dated 01.03.2013 the matter was discussed at different levels in the department. 4. That though the department had initiated the necessary steps in time for obtaining permission from the Law Department for filing revision before this Hon'ble Court against the impugned judgment dated 01.3.2013 passed by learned Tribunal, time was consumed in completing the procedural formalities and necessary permission could be issued by the Law Department. 5. That after getting necessary permission from the Government, the department instructed the concerned officials to contact the office of the Chief Standing Counsel, who in pursuance thereof contacted on 21.12.2016 and the case was file was allotted to the State Counsel. The State Counsel on the basis of material record drafted the present revision. 6. That since all the documents relied upon were in Hindi, it was directed such documents in Hindi language upon which the department relies upon, should also be accompanied by their English translation. Since there was no authorized translator in the department as well as in the office of the Chief Standing Counsel, it took some time to translate the documents." 2. We are not

convinced that revisionist has been able to explain the delay of 1414 days in filing the revision. Accordingly, application for condonation of delay (CLMA No. 4582 of 2017) will stand dismissed.

3. Consequently, revision will also stand dismissed.