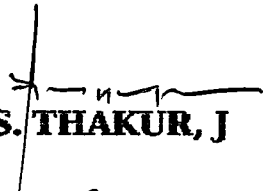



Sr. No.	Date	Orders
		<p>% 21.07.2005</p> <p>Present: Mr A.K. Bhardwaj for the Petitioner. Mr P.M. Mittal for the Respondent.</p> <p>+ <u>CM Nos.14455/2004 and 14456/2004 in CEAC 12/2004</u></p> <p>*</p> <p>There is a delay of 175 days in filing this petition and more than 1000 days delay in refileing of the papers. CMs 14455/2004 and 14456/2004 pray for condonation of the said delay. Insofar as the delay in filing is concerned, the only reason advanced in the application by the petitioner is that the same has occurred on account of frequent transfers of the officers dealing with the matters and the resultant communication gap between the department and the counsel appearing for it. The application does not, however, set out any particulars or details of the officers who were posted during the relevant period or the number of transfers that have taken place during the interregnum. While it is true that in matters of condonation of delay, the court takes a liberal view, in cases where pubic functionaries are involved, on account of the impersonal nature of its functioning, yet the minimum which the applicant must do is to assert the facts on the basis of which the delay can be held to be justified or explainable. The applications in the present case clearly fall short of the said requirement and do not make out any cogent reason for the inordinate delay that occurred in the filing and refileing of the papers.</p>

Signature Not Verified

Digitally Signed By: AMULYA
 Certify that the digital file and
 physical file have been compared and
 the digital data is as per the physical
 file and no page is missing.

Sr. No.	Date	Orders
		<p>2. We, accordingly, dismiss CM Nos. 14455/2004 and 14456/2004 and consequently the reference application shall consequently stand dismissed as barred by limitation.</p> <p style="text-align: right;">  T.S. THAKUR, J </p> <p style="text-align: right;">  BADAR DURREZ AHMED, J </p> <p>July 21, 2005 sd</p>