

**SUPREME COURT OF INDIA**

Suresh Chand

Vs.

Union of India

C.A.Nos.20739 of 2003

(Y. K. Sabharwal and D. M. Dharmadhikari JJ.)

01.10.2004

**ORDER**

1. Leave granted.
2. Notice was issued to the respondent stating that as to why the impugned judgment of the High Court be not set aside and the writ petition be remitted to the High Court for fresh decision after hearing counsel for the parties.
3. The High Court by the impugned judgment has dismissed the writ petition on the ground of being highly belated. Having regard to the facts and circumstances of the case, we are of the view that the writ petition deserves to be examined on merits. Insofar as the petition being belated, it may be noticed that the appellant was informed about the dismissal of his statutory complaint by the Central Government on 7th May, 2002 and the writ petition was filed by him in May, 2003. We do not think that there is such a delay as to merit the dismissal of the writ petition solely on the ground of it being belated. We refrain from expressing any opinion on merits.
4. In view of the aforesaid, we set aside the impugned judgment and remit Civil Writ Petition No. 3702 of 2003 for its fresh decision by the High Court. The High Court would do well to decide the petition expeditiously, preferably within a period of six months. The parties shall appear before the Registrar General of the High Court on 11th October, 2004 for direction as to the fixing of the matter.
5. The appeal is disposed of accordingly.