

SUPREME COURT OF INDIA

State of Jharkhand & Ors.

Vs.

Maya Singh & Ors.

C.A.No.1981 of 2008

(Tarun Chatterjee and Harjit Singh Bedi, JJ.)

10.03.2008

ORDER

(Arising out of SLP (C) No. 3530 of 2007)

1. Leave granted.

2. This appeal is directed against the Judgment and order dated 30th of August, 2006 passed by the Division Bench of the High Court of Jharkhand at Ranchi in L.P.A.No. 75 of 2006, by which the High Court had dismissed the application for condonation of delay of 63 days in filing the appeal and consequently, the appeal was also dismissed as being barred by limitation.

3. We have heard the learned counsel for the parties. After hearing the learned counsel for the parties and after examining the statement made in the application for condonation of delay, we are of the view that the statements made in the said application for condonation of delay of 63 days do constitute sufficient cause for condoning the delay in filing the appeal.

4. Accordingly, the application for condonation of delay is allowed and the appeal is restored to its original number.

5. Accordingly, the impugned order is set aside and we request the High Court to decide the appeal on merits and in accordance with law within a period of three months from this date. We make it clear that we have not gone into the merits of the appeal. The appeal is allowed to the extent indicated above. There will be no order as to costs.