

SUPREME COURT OF INDIA

State of Manipur & Anr.

Vs.

Th. Samson Singh & Ors.

C.A.No.2230 of 2008

(Tarun Chatterjee and Harjit Singh Bedi,JJ.)

28.03.2008

ORDER

(arising out of SLP(C)NO.18740/2006)

1. Leave granted.

2. In spite of due service, none appears on behalf of the respondents to contest this appeal. This is an appeal filed against an order dated 28.9.2006 passed by the Gauhati High Court, Imphal Bench in Writ Appeal No.321/2006, by which the writ appeal was dismissed as the application for condonation of delay was not accepted.

3. Having heard Mr. Raju Ramachandran, learned senior counsel appearing for the appellants, and after going through the averments made in the application for condonation of delay and considering the facts that the appellants have complied with the order passed by this Court on 24th November, 2006, by which this Court had directed the appellants to deposit a sum of Rs.3,00,000/- (Rupees Three Lakhs only) within a period of one month, we are of the view that the delay in filing the Writ Appeal should be condoned and the Writ Appeal should be restored to its original number. The High Court is now directed to dispose of the writ appeal on merits and in accordance with law within a period of three months from the date of supply of a copy of this order, without granting any unnecessary adjournment to either of the parties. We are informed that the aforesaid amount has been kept by Registry of this Court in an interest bearing Fixed Deposit account in a Nationalised Bank. The Registry of this Court is directed to transfer the amount to the High Court, which will also in turn invest the amount in the manner directed by this Court. The impugned order is thus set aside. The appeal is allowed accordingly.

4. There will be no order as to costs.