

SUPREME COURT OF INDIA

State of Kerala

Vs.

Wilson K.C.

C.A.No.5679 of 2008

(Tarun Chatterjee and Aftab Alam JJ.)

16.09.2008

ORDER

1. Leave granted.
2. This appeal is directed against the judgment and final order dated 20th of March, 2007 in Writ Appeal No.2342 of 2006 passed by the High Court of Kerala at Ernakulam by which the application for condonation of delay of 116 days in filing the aforesaid writ appeal was rejected.
3. We have heard the learned counsel for the parties and perused the application for condonation of delay of 116 days and the explanation given by the State of Kerala, the appellant herein, and also the objections filed thereto, we are of the view that the appellants, namely, the State of Kerala have made out sufficient cause for condonation of delay in filing the appeal. Accordingly, the impugned order is set aside and the writ appeal is restored to its original file. The Division Bench of the High Court is requested to dispose of the writ appeal after giving hearing to the parties and after passing a reasoned order in accordance with law preferably within six months from the date of communication of this order to it.
4. The appeal is allowed to the extent indicated above. There will be no order as to costs.