

Sreekumar S. Vs. State of Kerala, (Special Tahsildar) and the Managing Director

Sreekumar S. Vs. State of Kerala, (Special Tahsildar) and the Managing Director

SooperKanoon Citation : sooperkanoon.com/903544

Court : Kerala

Decided On : Jun-17-2010

Judge : Pius C. Kuriakose and; C.K. Abdul Rehim, JJ.

Appeal No. : C.M. Appln. 766/2010 in L.A.A. No. 486 of 2010

Appellant : Sreekumar S.

Respondent : State of Kerala, (Special Tahsildar) and the Managing Director

Advocate for Def. : No Appearance

Advocate for Pet/Ap. : Gopakumar R. Thaliyal, Adv.

Disposition : Application allowed

Judgement :

ORDER

4. This application seeking condonation of the delay of 1313 days is very stiffly opposed by the learned senior Government Pleader. However, on the consideration that causes should be allowed to be adjudicated as far as possible on their merits rather than decided on technicalities, we are inclined to condone the delay imposing conditions.

5. This application will stand allowed subject to the following conditions:

i). The appellant shall pay a sum of Rs. 3500/- (Rupees Three Thousand Five Hundred only) as cost to the Government through the office of the Advocate General within two weeks from today and produce receipt before this court.

ii). The appellant shall pay a further amount of Rs. 2,500/- (Rupees Two Thousand Five Hundred only) to the High Court Legal Services Committee within the same time limit and produce receipt before this court.

iii). In the event of the appeal being allowed and the appellant becoming eligible for enhanced compensation, such enhanced compensation will not carry interest otherwise admissible under Section 28 of the Act during the period of 1313 days condoned by this order.

Annex a copy of this order to the judgment to be passed in the appeal.

Upon noticing receipt against the payment of amounts as directed above, the Registry will number the appeal and send up the same for admission.

SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com