

# VERDICTUM.IN

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ITEM NO.3

COURT NO.2

SECTION IV-C

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 24926/2023

(Arising out of impugned final judgment and order dated 15-06-2022 in WA No. 539/2022 passed by the High Court Of M.P At Indore)

SCHOOL EDUCATION DEPARTMENT & ORS.

Petitioner(s)

VERSUS

SARITA MISHRA & ANR.

Respondent(s)

( IA No.242063/2023-CONDONATION OF DELAY IN FILING and IA No.242058/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.242060/2023-EXEMPTION FROM FILING O.T. and IA No.242068/2023-CONDONATION OF DELAY IN REFILEING/CURING THE DEFECTS )

Date : 28-11-2023 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL  
HON'BLE MR. JUSTICE SUDHANSHU DHULIA

For Petitioner(s) Mr. Nachiketa Joshi, A.A.G.  
Mr. Gautam Singh, Adv.  
Mr. Pashupathi Nath Razdan, AOR  
Ms. Maitreyee Jagat Joshi, Adv.  
Mr. Astik Gupta, Adv.  
Ms. Akanksha Tomar, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following  
O R D E R

The special leave petition has been filed with a delay of 283 days in filing and 121 days in refiling

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the special leave petition against an order dismissing a Writ Appeal filed after delay of 994 days: so much for the efficiency of the department!

We have categorized all such cases as "certificate cases". The objective is to see that the department washes its hands off for its non performance to obtain dismissal from this Court.

We fail to appreciate such a scenario. In this behalf, suffice to refer to our judgments in the *State of Madhya Pradesh & Ors. v. Bheru Lal* [SLP [C] Diary No.9217/2020 decided on 15.10.2020] and *The State of Odisha & Ors. v. Sunanda Mahakuda* [SLP [C] Diary No.22605/2020 decided on 11.01.2021]. *The leeway which was given to the Government/public authorities on account of innate inefficiencies was the result of certain orders of this Court which came at a time when technology had not advanced and thus, greater indulgence was shown. This position is no more prevalent and the current legal position has been elucidated by the judgment of this Court in Office of the Chief Post Master General & Ors. v. Living Media India Ltd. & Anr. - (2012) 3 SCC 563.*

Looking to the delay not only before the High Court and further delay before us, we dismiss the special leave petition as time barred with a costs of Rs. 10,000/- to be deposited with the

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Supreme Court Group 'C' (Non-Clerical) Employees  
Welfare Association.

[CHARANJEET KAUR]  
ASTT. REGISTRAR-cum-PS

[POONAM VAID]  
COURT MASTER (NSH)