

ITEM NO.20 Court 9 (Video Conferencing) SECTION XVI-A

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

Miscellaneous Application No. 195/2021 IN D No. No. 3097/2018

ADMINISTRATOR JAMMU MUNICIPALITY & ANR. Petitioner(s)

VERSUS

M/S SWARN THEATRE THROUGH S.BALBIR SINGH
KHURANA (DEAD) THROUGH LRS & ORS. Respondent(s)

(FOR ADMISSION)

Date :05-02-2021 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
HON'BLE MR. JUSTICE HRISHIKESH ROY

For Petitioner(s) Mr. G.M. Kawoosa, Adv.
Ms. Manjula Gupta, AOR

For Respondent(s) Mr. Rajesh Mahna, Adv.
Mr. Bhargava V. Desai, AOR
Mr. Ramanand Roy, Adv.
Mr. Mayank Kouts, Adv.
Mr. Shiva Narang, Adv.
Ms. Aditi Diwan, Adv.

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

The order dated 17th January, 2020 has been observed in breach. The time period given to do the needful was six weeks and the compliance report has been filed after a delay of 223 days-so much for the efficiency!

We have despite the aforesaid, perused the report. As usual excuses are being made or Advocate is sought to be blamed. No responsibility is being fixed on the officers. We reject the report. We

actually feel that the manner in which the report has been prepared should encourage us to direct recovery of costs from the person holding the enquiry.

However, before we do that, at request of the learned counsel for the petitioner, we give three weeks' time to fix the responsibility and recover the amount rather than the excuse given "procedural and non intentional or deliberate" delays. We have passed such orders to improve the system of filing petitions before this Court by Government authorities and making officers responsible and not to permit the Government to evade these issues. We have already said that inefficiency of the administration is not an excuse in view of the judgment in the case of *Office of the Chief Post Master General & Ors. v. Living Media India Ltd. & Anr.* - (2012) 3 SCC 563.

List on 5th March, 2021.

A copy of the order be also issued to the counsel to be placed before the Chief Secretary.

[CHARANJEET KAUR]
ASTT. REGISTRAR-cum-PS

[POONAM VAID]
COURT MASTER (NSH)