

ITEM NO.8

COURT NO.9

SECTION IV-A

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 3609/2020

[Arising out of impugned final judgment and order dated 07-08-2019 in IA No. 1/2017 passed by the High Court of Karnataka at Bengaluru]

MEERA KARANTH

Petitioner(s)

VERSUS

THE STATE OF KARNATAKA

Respondent(s)

Date : 13-11-2024 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE C.T. RAVIKUMAR
HON'BLE MR. JUSTICE SANJAY KAROL

For Petitioner(s) Mr. Febin Mathew Varghese, AOR
Mr. Dhiraj Abraham Philip, Adv.
Mr. Ranjith Kumar, Adv.
Ms. Achalika Ahuja, Adv.

For Respondent(s) Mr. Nishanth Patil, A.A.G.
Mr. V. N. Raghupathy, AOR
Mr. Ayush P. Shah, Adv.
Mr. Vignesh Adithiya S, Adv.

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

It is seeking leave to challenge the order dated 7.8.2019 passed by the High Court of Karnataka at Bengaluru in IA No. 1 of 2017 in Writ Appeal No. 6532 of 2017 that the captioned Special Leave Petition has been filed.

Heard learned counsel for the petitioner and learned counsel for the State.

Normally, this Court will be loath to interfere with an interim order. However, in the case on hand, we find that delay of 899 days in filing the Writ Appeal was condoned as per the order

impugned. As per the Petitioner, delay of more than two years, to be precise 899 days, was condoned without issuing notice to him.

The fact that the impugned order was passed without notice to the petitioner is not in dispute, rather it is indisputable. We have also gone through the impugned order passed in I.A. No. 1 of 2017 in Writ Appeal No. 6532 of 2017 which would reveal that besides observing that the Court was satisfied with the reasons assigned, there is no reference as to what were the reasons assigned for condoning the delay of 899 days. In short, it can be said that the impugned order is a non-speaking order, that too, without notice to the petitioner though there occurred a delay of 899 days.

In the said circumstances, we set aside the impugned order dated 7.8.2019 passed by the High Court in I.A. No. No. 1 of 2017 in Writ Appeal No. 6532 of 2017 and the I.A. No. 1 of 2017 is restored to its original number on the file of the High Court, which shall be decided afresh with the notice to the petitioner herein/respondent before the High Court.

The special leave petition is disposed of as above.

Pending application(s), if any, stands disposed of.

(DR. NAVEEN RAWAL)
DY. REGISTRAR

(MATHEW ABRAHAM)
COURT MASTER (NSH)