

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

Civil Revision No. 1948 of 2015 (O&M)  
Date of decision: 16.7.2015

**Sondhi (deceased) through LRs**

**.. Petitioners**

**v.**

**Lal Chand and others**

**.. Respondents**

CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL

Present: Mr. Kanwaljeet Singh Derabassi, Advocate for the petitioner.

...

Rajesh Bindal J.

The petitioners have challenged the order dated 3.1.2015, passed by the learned court below, whereby the application filed by them for condonation of delay by 14 months and 26 days in filing the appeal against the preliminary decree dated 3.6.2010, was dismissed.

It is not in dispute that the petitioners were represented by a counsel before the trial court, where the preliminary decree was passed on 3.6.2010. The claim in the suit was for partition of the joint property.

The only plea sought to explain the delay of 14 months and 26 days in filing the appeal is that the counsel had not informed the petitioners about the decision of the case. However, the contention cannot be accepted for the reason that parties to the dispute are family members living in the same village and the suit was for partition of the joint property.

As the petitioners have not been able to make out a ground for condonation of huge delay of 14 months and 26 days in filing appeal against the preliminary decree before the learned lower appellate court, in my opinion, there is no illegality in the impugned order in dismissing the application.

The petition is, accordingly, dismissed.

(Rajesh Bindal)  
Judge

16.7.2015  
mk