

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

CM No.5855-CII of 2014
in/ and FAO No.1691 of 2014 (O&M)
Date of decision: 06.07.2015

Smt.Shahidan

..... Appellant

versus

Deen Mohd. and and others

.....Respondents

CORAM: Hon'ble Mr.Justice Kuldip Singh

Present: Mr.Ashish Gupta, Advocate for the appellant

1. *Whether Reporters of Local Newspapers may be allowed to see the judgment ?*
2. *To be referred to the Reporters or not ?*
3. *Whether the judgment should be reported in the Digest?*

Kuldip Singh, J. (Oral)

Appellant has filed this appeal against the award dated 3.4.2008 passed by the Motor Accident Claims Tribunal, Gurgaon (for short, 'the Tribunal).

Along with the appeal, an application has been filed for condonation of delay of 2045 days in filing the appeal.

In the grounds, it is stated that the applicant had handed over the copy of the award to her counsel but the counsel did not file the appeal. She remained under the impression that the case is pending. Now she came to know that the appeal has not been filed. Therefore, she contacted her counsel before the Tribunal and thereafter, she met the present counsel on 3.2.2014 and the appeal has now been filed. The application is supported by an affidavit of

the applicant.

I am of the view that the ground set forth with the applicant is not convincing. Applicant was represented by a counsel before the Tribunal and the fact mentioned shows that she had been contacting her counsel before the Tribunal. On account of access to the computer by the counsel before the Tribunal, she could easily know that whether the appeal has been filed or not. In the application she has not mentioned name of the counsel to whom relevant papers were given and reason for which the application was not filed and how she obtained the papers from the said counsel. The ground appears to be concocted. There is delay of about six years. There is no reasonable ground to condone the delay. Therefore, the application for condonation of delay of 2045 days is dismissed. Consequently, appeal also stands dismissed.

06.07.2015
gk

(Kuldip Singh)
Judge