

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CM No. 4311-C of 2015 in/and
RSA No. 1550 of 2015 (O/M)
Date of decision : 17.12.2015

Barinder Singh

..... Appellant

Versus

Sajjan Singh and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Gurcharan Dass, Advocate,
for the applicant-appellant.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

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KULDIP SINGH, J. (ORAL)

This appeal is against the concurrent findings recorded by both the Courts below against the plaintiff (appellant herein), dismissing the suit of the plaintiff/appellant for joint possession. Alongwith the present regular second appeal, an application bearing CM No. 4311-C of 2015 has been filed for condonation of delay of 1425 days in refiling the present regular second appeal.

It is stated in the application that when the appeal was filed, the same was returned by the Registry with some objections. Due to spreading of white-ant/termites in the wooden almirahs of the

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RSA No. 1550 of 2015 (O/M)

office of the counsel, some files were damaged, due to which the paper-books were mixed up with other decided cases. Therefore, the delay of 1425 days has occurred.

In this case, there is whopping delay of 1425 days. The white-ant/termites cannot eat the files overnight and even if the files are damaged, the same cannot be taken to be a good ground for condoning the delay of more than three years in refiling the present regular second appeal. Hence, the application for condonation of 1425 days' delay in refiling the present regular second appeal is dismissed. Consequently, the present regular second appeal stands dismissed.

(KULDIP SINGH)
JUDGE

17.12.2015
sjks