

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

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Regular Second Appeal No.3667 of 2014 (O&M)

Date of Decision: August 14, 2015

Avtar Singh

...Appellant

Versus

Labh Singh

...Respondent

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Ms. Poonam Josan, Advocate
for the applicant-appellant.

AUGUSTINE GEORGE MASIH, J. (ORAL)

CM No.8493-C of 2014

Prayer in this application is for condonation of delay of 1789 days in filing the appeal.

The only reason pointed out in the application is that the applicant-appellant was not informed and advised properly by the Advocate to approach this Court and had come to know about the adverse decision only a week before the present application was filed when the respondent-plaintiff tried to take forceful possession of the land with the assistance of the police as the execution application has been filed in which the said order has been passed.

This explanation, which has been given for condonation of delay of 1789 days in filing the appeal, cannot be accepted as nothing has been mentioned explaining the delay. Ignorance of law cannot be pleaded as a ground for condoning the delay nor can it be said that it was the mistake of the counsel. As a vigilant litigant, the applicant-appellant should have approached the Advocate for seeking information with regard to the fate of

his case, which was pending in the Court.

In view of the above, the present application stands dismissed and as a consequence thereof, the appeal as also the application for stay i.e. CM No.8494-C of 2014, also stand dismissed.

August 14, 2015
Puneet

(AUGUSTINE GEORGE MASIH)
JUDGE