

CM No.14833-834-C of 2015 in
RA-RS No.106-C of 2015 in
RSA No. 2591 of 2013

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

CM No.14833-834-C of 2015 in
RA-RS No.106-C of 2015 in
RSA No. 2591 of 2013
Date of Decision: December 18, 2015

Chhotu Ram

...Applicant

versus

Kulwinder Singh

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Sanjiv Gupta, Advocate
for the applicant.

AUGUSTINE GEORGE MASIH, J. (Oral):

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Prayer in this application is for seeking exemption from
filing certified copy of Annexure A-2.

For the reason assigned in the application, the same is
allowed. Exemption is granted from filing certified copy of Annexure
A-2, subject to all just exceptions.

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Prayer in this application is for condonation of delay of 39
days in filing the review application.

The reasons mentioned for the delay are that the
applicant was under the belief that the review can be filed within a
period of 60 days from the date of order and when he contacted his

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counsel, it revealed that the limitation period is 30 days and certified copy of the order dated 15.09.2015 was applied on 06.10.2015 and the same was received on 14.10.2015. Therefore, the delay has occurred in filing the review application.

The reason mentioned in the application that the delay has occurred due to time spent in applying and receiving the certified copy of the order dated 15.09.2015 cannot be accepted because the said process has taken only nine days and the same are not counted in the period of delay. The reason that the applicant was under the belief that the review can be filed within a period of sixty days and only on informing by his counsel, he came to know that the same can be filed within a period of 30 days and the delay has occurred, also cannot be accepted in view of the fact that the review application has been filed after 69 days from the date of the said order. No specific date has been mentioned as to when the applicant had met his counsel and the counsel had informed him about the limitation period. No dates have been mentioned from the date of receipt of certified copy of order i.e. 14.10.2015 to the date of filing the review application i.e. 02.12.2015 as to when and on what stages steps were taken to file the review application, which have resulted in such delay.

In view of the above, application for condonation of delay of 39 days in filing the review application deserves dismissal.

The review application has also been perused as also the

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order dated 15.09.2015 but no ground for review of the order dated 15.09.2015 is made out.

The application for condonation of delay and the review application, therefore, stand dismissed.

December 18, 2015

Harish

(AUGUSTINE GEORGE MASIH)
JUDGE