

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

**FAO No.1017 of 2015 (O&M)
Date of decision : 18.02.2016**

Smt. Ram Rati

.....Appellant

Versus

Balwinder Singh and others

...Respondents

CORAM : HON'BLE MR. JUSTICE DARSHAN SINGH

Present: Mr. Ashok Sharma Advocate for appellant.

Ms. Vandana Malhotra, Advocate for respondent No.3.

DARSHAN SINGH, J.

CM-2790-CII-2015

There is delay of 70 days in re-filing the present appeal. The appellant has filed an application under Section 151 CPC for condonation of delay.

Heard on the application.

In view of the reasons mentioned in the application, same is allowed.

CM-2791-CII-2015

This application has been filed by the appellant for condonation of delay of 132 days in filing the present appeal.

The respondent No.3-Insurance Company has filed the reply contesting the said application.

I have heard Mr. Ashok Kumar Sharma, Advocate, learned counsel for the applicants-appellants and Ms. Vandana Malhotra, Advocate, learned counsel for respondent No.3 - Insurance Company.

It is settled principle of law that the approach to condone the delay should be liberal and valuable rights of the parties should not be declined simply on technicalities.

Thus, in view of the reasons mentioned in the application, I found that there is sufficient cause for condonation of delay in filing the present appeal. Thus, the application is hereby allowed and the delay of 132 days in filing the present appeal is hereby condoned.

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Vide order of even date, passed in FAO No.5684 2014 titled as Mewa Singh & Anr. Vs. Balwinder Singh and others, this appeal has been partly allowed. For reasons, see the order passed in the aforesaid appeal.

18.02.2016

sunil yadav

**(DARSHAN SINGH)
JUDGE**