

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

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RSA No. 1949 of 2014 (O&M)

Date of decision: 12.12.2016

Bhagirath

.... Appellant

Versus

State of Haryana and others

.... Respondents

CORAM: Hon'ble Mr. Justice P.B. Bajanthri

Present: Mr. S.N. Yadav, Advocate for the appellant.

Mr. Anil Mehta, DAG, Haryana.

P.B. Bajanthri, J. (Oral)

CM No. 4752-C-2014

In the instant appeal, the appellant has questioned the validity of the order passed by the appellate court dated 29.02.2012. On 08.01.2014 there is a delay of 605 days in filing the present RSA. Reasons assigned in the application for condonation of delay reads as under:-

“3. That the counsel for the appellant did not informed about the decision of the case. Thereafter, the appellant went to the court and asked about his case then the counsel told him that the appeal has been dismissed. That due to the negligence of his counsel there is a delay of 605 days.”

On the other hand, learned counsel for the respondents submitted that application for certified copy of order dated 29.02.2012 was presented on 02.03.2012. Certified copy prepared on 03.03.2012 and delivered on 09.03.2012. Having regard to these factual aspects read with

para 3 of the affidavit for condonation of delay 605 days, the delay cannot be condoned for the reasons that no reasons have been assigned except stating that the appellant's counsel has not informed the appellant.

Heard learned counsel for the parties.

Perused the affidavit for condonation of delay in particularly para 3. Sufficient cause has not been shown to condone the delay of 605 days in filing RSA. Accordingly, CM for condonation of delay of 605 days in filing the RSA is rejected.

Main case.

Since, application for condonation of delay of 605 days in filing the appeal is rejected, consequently, RSA stands dismissed.

**(P.B. BAJANTHRI)
JUDGE**

12.12.2016

pooja saini

Whether speaking/reasons

Yes/No

Whether Reportable:

Yes/No