

HIGH COURT OF CHHATTISGARH, BILASPUR

FA No. 442 of 2017

- Pawan Kumar S/o Kejuram @ Anirudh Pratap Hanumanta, Aged About 66 Years R/o Village Khaikhunt, Tahsil Tilda, District Raipur, Chhattisgarh. Through Power Of Attorney Holder Shiv Kumar Aged 44 Year, S/o Pawan Kumar Hanumanta, R/o Village Khaikhunt, Tahsil Tilda, District Raipur, Chhattisgarh.

---- Petitioner

Versus

1. Sarojani Baghmar W/o Rishi Baghmar Aged About 58 Years R/o Through Dr. L. Madhariya Eye Specialist, I.G. Office Road, Nehru Nagar, Bilaspur, Chhattisgarh.
2. State Of Chhattisgarh, Through- Collector, Raipur, Chhattisgarh.

---- Respondent

For Appellant	Shri Hemant Kesharwani, Advocate
For Respondent No.2	Shri Sameer Behar, PL

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

05/10/2017

1. This appeal is barred by 61 days.
2. The following has been stated in para 2 and 3 of the application for condonation of delay:-

“2. That, the appellant/plaintiff could not filed the appeal due to not aware about the limitation of filing appeal before appellate court.

3. That, the appellant/plaintiff is unable to manage source for filing appeal before this Court, therefore, they appellant could not filed in prescribed limitation.”

3. The statement made in the application, as extracted above, is not only self contradictory but is not worth the paper on which it is written. On the one hand, the appellant would say that he was not aware about the period of limitation and in the next breath, he would state that "he could not manage source for filing appeal". It is not even stated as to whether he was running short of funds or otherwise. The application is as vague and scatchy as it could be. The suit itself has been dismissed for non production of evidence on the date when it was fixed for recording evidence.
4. In the circumstances, this Court does not find any good ground to condone the delay, therefore, I. A. No.1, application seeking condonation of delay, is dismissed. Consequently, the appeal is also dismissed.

Sd/-
Judge
Prashant Kumar Mishra

Nirala