

HIGH COURT OF CHHATTISGARH, BILASPUR
S.A No.527 of 2016

Kanshi Ram S/o Atmaram, Aged About 45 Years R/o Kouwatal, Tahsil Kasdol, District Raipur Now Baloda Bazar-Bhatapara, Chhattisgarh
 (Defendant No.1)

----Appellant

Versus

1. Kanhaiya S/o Atmaram Marar, Aged About 28 Years R/o Kouwatal, Tahsil Kasdol, District Raipur Now Baloda Bazar-Bhatapara, Chhattisgarh
 (Plaintiff)

2. State Of Chhattisgarh, Through The Collector, Raipur, District Raipur, Chhattisgarh(Defendant No.2)

-----Respondents

For Appellant:	Shri Sanjay Patel, Advocate.
For Respondent No.1:	Shri Prakash Tiwari, Advocate.
For State/Respondent No.2:	Smt Shobha Kashyap, Deputy Govt. Advocate.

Single Bench: Hon'ble Shri Sanjay Agrawal, J
Order On Board

12.4.2017

1. Heard on IA No.2, an application for condonation of delay of 702 days in filing the instant Appeal.

2. Shri Tiwari has opposed the said application stating that no sufficient reasons have been assigned in the said application as the fact regarding passing of *ex parte* judgment has wrongly been mentioned in the application, therefore, the same deserves to be rejected.

3. I have heard learned Counsel for the parties and perused the record.

4. From perusal of the said application, it is clear that the reasons as assigned by the Appellant are not at all sustainable as it is stated in the said

application that he was not aware with regard to the passing of the *ex parte* impugned judgment and decree. However, record shows that the same is apparently contrary to the said fact as the judgment and decree was not an *ex parte* judgment and decree as stated by the Appellant. No other sufficient ground is mentioned in the application. Therefore, the Appellant has failed to assign any sufficient reasons for condonation of delay of 702 days in filing this Appeal. Accordingly, the application is liable to be and is hereby rejected.

5. Consequently, the Appeal is also dismissed.

Sd/-

(Sanjay Agrawal)
JUDGE

Priya