

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Civil Revision No.2597 of 2014 (O&M)
Date of Order: 06.11.2017

Jagdeep Kaur

..Petitioner

Versus

Reliance Communication Ltd. and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Saurabh Arora, Advocate,
for the petitioner.

Mr. D.K.Singh, Advocate,
for respondents no.1 to 3.

ANIL KSHETARPAL, J (Oral)

The first appeal of the petitioner was dismissed by the learned Additional District Judge, Chandigarh, on the ground that the appeal was barred by 75 days and the appellant has failed to plead and prove sufficient cause for condonation of the delay.

Appellant in her application had stated that her husband was not well and she was taking care of her husband and due to this reason after getting certified copy of the judgment, appellant could not meet her counsel within the time prescribed for filing the first appeal.

Learned counsel for the petitioner has placed on record copy of the medical record, which shows that the husband of the petitioner has been under a continuous medical treatment in different hospitals and in between he was admitted in the hospital also.

Taking into consideration the fact that the delay is only of 75 days and the husband of the petitioner was under constant treatment, in the

considered opinion of this Court, the petitioner has shown sufficient cause for seeking condonation of delay of 75 days.

The learned first appellate Court has taken a very narrow view of the entire situation. It is well settled that the Court must make an endeavour to give an opportunity to the parties to contest the case on merits.

Taking into consideration the aforesaid facts, the revision petition is allowed and the delay of 75 days is condoned.

Learned first appellate Court is directed to decide the case on merits within one year from today.

Parties are directed to appear before the learned first appellate Court on 23.11.2017.

November 06, 2017
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned	: Yes/No
Whether reportable	: Yes/No