

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

113

**CR No.594 of 2017(O&M)
Date of decision: 27.02.2017**

Kiran Bala

....Petitioner

Versus

Khazan Singh

...Respondent

CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA

Present: Mr.Munish Puri, Advocate, for the petitioner.

G.S. SANDHAWALIA, J. (Oral)

The present revision petition, filed by the petitioner-tenant, is directed against the orders of eviction on the ground of *bona fide* requirement of the respondent-landlord, who is an Ex-serviceman. Apart from that, eviction has also been ordered on account of non-tendering of rent and material impairment, in the appeal filed before the Appellate Authority.

The present revision petition is also barred on account of delay which has occurred, of as many as 1280 days, since the appellate order was passed on 11.04.2013 and the revision petition was filed only on 25.01.2017. The only explanation given for the delay is that the petitioner is poor and illiterate and does not know about the technicalities of law and therefore, the delay may be condoned.

The said ground is not liable to be accepted. The petitioner has been contesting tooth and nail before the rent authorities and the proceedings were pending for 8 long years before the Rent Controller. She chose to file the present revision petition after a period of almost 4 years. Certain vested rights have accrued to the respondent and the law of limitation, though harsh, but cannot be, as such, done away with and in

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

CR No.594 of 2017(O&M)

-2-

the absence of any sufficient cause being made out. This Court is of the opinion that the delay, as such, is not liable to be condoned, after a period of 4 years, in the absence of any sufficient cause made out and accordingly, the application for condonation of delay is dismissed. Consequently, the present revision petition also, thus, stands dismissed on the ground of being barred by limitation.

February 27th, 2017
Sailesh

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*