

CM No.3509-CII of 2016 in/and
FAO No.1158 of 2016

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CM No.3509-CII of 2016 in/and
FAO No.1158 of 2016

Date of decision: 13.07.2017

Sulkhan Singh & others

...Appellants

Vs.

Gurjit Singh & others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. J.S.Cooner, Advocate, for the appellants.

Mr. R.S.Singal, Advocate, for respondent 3.

RAJIV NARAIN RAINA, J. (ORAL)

There is delay of 672 days in filing the appeal preferred on behalf of the claimants. There can be no sympathetic consideration in a delay so inordinate. This is because successful parties remain satisfied and alter their positions after long delay having accepted the award and implemented it. Even the payments in this case have been made by the respondent judgment-debtors and the appeal has been filed after receipt of full and final compensation by the appellants. This verily amounts to waiver of right to appeal when compensation is accepted without protest.

There is no explanation worth noticing in the application or sufficient cause shown for the huge delay in filing the appeal which appears to be sauntering into Court expecting manna from heaven. To make it easier, if not more difficult, for the appellants to understand what this means, it is explained that manna was food that God gave miraculously to the Israelites

in the Exodus, after the food they had brought with them out of Egypt had run out.

Consequently, in view of the above circumstances, the delay application is liable to be dismissed. It is so ordered. With the dismissal of the delay application, the main appeal has to go. It is dismissed.

13.07.2017
Vimal

[RAJIV NARAIN RAINA]
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>
<i>Whether Reportable:</i>	<i>Yes</i>