

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

CM No.21988-CII of 2017 in/and
FAO No.6750 of 2017 (O & M)
Date of decision :13.10.2017

Tarsem Singh

...Appellant

Versus

Rekha Saini and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Sandeep Sharma, Advocate
for the appellant.

ANIL KSHETARPAL, J.(Oral)

CM No.21988-CII of 2017 has been filed seeking condonation of delay of 767 days in filing the appeal. The reason given in the application seeking condonation of delay is reads as under:-

“2. That there is a delay in filing the appeal which has occurred due to the reason that impugned award was passed by the ld. MACT Jalandhar on 26.5.2015 and all the respondents in the petition i.e. driver, owner and insurance company were held liable to pay the compensation to the claimant jointly and severally. The appellant was under the impression that since the vehicle of the appellant is fully insured with the insurance company at the time of accident and even the driver of the offending vehicle was also having valid driving license at the time of accident, so in such a situation, the claim will be indemnify by the insurance

*company. Therefore the appellant did not chose to file
the appeal before this Hon'ble Court.”*

The delay is for more than 2 years. The reason given by the appellant does not inspire confidence. The reason seeking condonation of delay is not found sufficient.

Section 5 of the Limitation Act provides that the appellant must give sufficient cause for not preferring the appeal within such time. The delay is huge and the reason assigned is wholly insufficient.

The application seeking condonation of delay is accordingly dismissed.

Consequently, the main appeal is also dismissed as time barred.

13.10.2017
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(ANIL KSHETARPAL)
JUDGE

Whether Speaking/reasoned :	Yes
Whether Reportable :	No