

108.

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

RSA-5125-2016 (O&M)

Date of decision:09.02.2017

JASPREET KAUR AND ORS

... Appellants

versus

NASEEB KAUR AND ORS

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Jagjit Gill, Advocate,
for the appellants.

HARI PAL VERMA, J. (Oral)

The appellants-plaintiffs have filed the present Regular Second Appeal against the judgment and decree dated 18.05.2012 passed by learned Additional District Judge, Sri Muktsar Sahib whereby the appeal filed by respondents-defendants against the judgment and decree dated 23.09.2011 passed by Civil Judge (Senior Division), Sri Muktsar was partly accepted.

Along with the appeal, applicants have filed an application under Section 5 of Limitation Act seeking condonation of delay of 1481 days in filing the appeal. Parties have contested the dispute. Learned Additional District Judge, Sri Muktsar Sahib has decided the appeal on 18.05.2012 and the appeal filed by respondents-defendants was partly allowed. The present Regular Second Appeal has been filed

after a delay of 1481 days along with an application i.e. CM-13324-C-

2016 seeking condonation of delay. The only sufficient cause seeking condonation of delay, as projected by the appellants, is that she being lady and her minor children were under the impression that the case has been finally decided in their favour by the courts below, therefore, the appellants have not preferred the appeal.

This Court does not find the projected reason as sufficient to condone the delay of 1481 days as stated in the application by the appellants-plaintiffs. Therefore, the appeal is liable to be dismissed on the score of limitation itself as no sufficient cause is established.

Accordingly, application i.e. CM-13324-C-2016 as well as regular second appeal stand dismissed.

(HARI PAL VERMA)
JUDGE

09.02.2017
sanjeev

Whether speaking/reasoned? Yes/No
Whether reportable? Yes/No