

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

**CR No.3011 of 2018 (O&M)
Date of decision : May 07, 2018**

Pawan Kumar

..... Petitioner

Versus

Raman Kumar and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. S.K. Singla, Advocate for the petitioner.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

KULDIP SINGH J. (ORAL)

Impugned in the present revision petition is the order dated 06.10.2015 (Annexure P-6) passed by learned Addl. District Judge, Jalandhar, vide which delay of 2½ years in filing the appeal was not condoned.

Heard.

It comes out that a judgment and decree dated 22.12.2010 was passed against the defendant-petitioner. The petitioner has taken the stand that he was under the treatment from Dr. Jagtar Singh of Janta Hospital, Nakodar, since 2011 and when he became fit to move around, he contacted his counsel and came to know about the judgment and decree dated 22.12.2010. He applied for certified copy on 27.06.2013, which was delivered to him on the next day. Then he filed an appeal. The trial Court after framing the issues and recording the evidence, took the view that a compromise was effected between the parties. That is why, the appeal was not filed. Regarding the medical evidence, there was nothing to show that

the petitioner remained continuous ill and was not in a position to move around. The lower appellate Court has given the detailed reasoning and found that there is no justification in condoning the delay of 2-1/2 years in filing the appeal.

I am of the view that the entire evidence has been discussed. there is nothing wrong with the reasoning given by the learned Addl. District Judge, Jalandhar.

As such, the present revision petition is dismissed.

Since, the main revision petition is dismissed, therefore, the pending application, if any, also stands disposed of.

(KULDIP SINGH)
JUDGE

May 07, 2018

sarita

Whether speaking / reasoned Yes

Whether Reportable: No