

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CR No.6521 of 2018 (O&M)

Date of decision:04.12.2018

Tirath Ram and another

... Petitioners

Vs.

Punjab Wakf Board

... Respondent

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present:- Mr. Rahul Bhargava, Advocate
for the petitioners.

Mr. Ghulam Nabi Malik, Advocate
for the respondents

AMIT RAWAL J. (Oral)

The present revision petition is directed against the impugned order dated 14.09.2018, whereby, application filed under Section 5 of the Limitation Act, at the instance of the petitioners seeking condonation of delay, has been dismissed.

Mr. Rahul Bhargava, learned counsel appearing on behalf of the petitioner submitted that delay was neither intentional nor willful but owing to the reasons mentioned in the application.

I am afraid the aforementioned argument is not sustainable, for, no doubt, the law of limitation cannot be pressed into service with rigour and force but the delay as explained cannot be said to be un-intentional or bonafide. This view of mine is derived from the ratio decidendi culled out

by the Hon'ble Supreme Court in **Office of the Chief Post Master General and others Vs. Living Media India Limited and another 2012(2) SCT 269**. The explanation given in the application is bereft of the reasonable cause.

The impugned order cannot be said to be suffering from illegality and perversity. The revision petition stands dismissed.

(AMIT RAWAL)
JUDGE

December 04, 2018

savita

Whether Speaking/Reasoned

Whether Reportable

Yes/No

Yes/No