

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No. 29127 of 2018
Date of Decision: 19.11.2018

RATTI RAM AND OTHERS

....Petitioners

VS.

STATE OF HARYANA AND OTHERS

...Respondents

CORAM: **HON'BLE MR. JUSTICE RAKESH KUMAR JAIN.**
 HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Sanjay Vij, Advocate,
 for the petitioners.

RAKESH KUMAR JAIN, J. (ORAL)

The petitioners have challenged the order dated 28.02.2006 passed by the District Collector, Faridabad, order dated 07.11.2008 passed by the Commissioner, Gurgaon Division, Gurgaon and order dated 21.04.2010 passed by the Financial Commissioner, Haryana.

In order to overcome the delay and latches, it is averred in the first paragraph of the petition that they did not have the knowledge of the pendency of the litigation till they received a notice of execution initiated by respondent No. 6 because earlier, their father was looking after the litigation who had died on 10.09.2014.

We have heard learned counsel for the petitioners and after examining the record, are of the considered opinion that the explanation given in the first paragraph of the petition about the delay and latches, is not sufficient and satisfactory because even if the petitioners who are the sons and daughters of Late Ballu, who are claiming ignorance about the pendency of the litigation which was initiated at the instance of their father, yet the fact remains that their father had died on 10.09.2014 i.e. after a period of 4 years

when the last order was passed by the Financial Commissioner on 21.04.2010 and the delay was caused in his hands only, for the purpose of filing writ petition, which could have been filed at the most within six months but here the delay is of more than three years.

Therefore, we do not find any reason to interfere in this petition which is high belated and suffers from delay and latches and have the same is hereby dismissed.

[RAKESH KUMAR JAIN]
JUDGE

November 19, 2018

Ess Kay

[ANUPINDER SINGH GREWAL]
JUDGE

Whether speaking / reasoned : **Yes / No**

Whether Reportable : **Yes / No**