

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

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**RSA-294-2011 (O&M)
Date of decision:26.02.2018**

Baldev Krishan Patwari

...Appellant

Versus

State of Punjab and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present: Mr. S.K.Sharma, Advocate for the appellant.

Mr. RBS Chahal, Addl. A.G. Punjab.

P.B. BAJANTHRI, J. (ORAL)

CM No. 12008 of 2016

Heard CM for condonation of delay of 3041 days in re-filing the Regular Second Appeal. Learned Counsel for State of Punjab opposed for condonation of delay of 3041 days for the reasons that reasons are not sufficient to condone such belated re-filing application. Perused the reasons stated in the application for condonation of delay of 3041 days in particularly in paras 3 to 11. Condoning delay of 3041 days may not be appropriate for the reasons assigned are very casual. Therefore, such a prolonged delay cannot be accepted in order to condone delay of 3041 days

in re-filing of the regular second appeal. Moreover, perusal of the zimny orders it is evident that matter is being adjourned from time to time from 2011 to this day for one or the other reasons at the behest of counsel for the appellant. It seems that appellant is not very keen to pursue the matter. Accordingly, CM stands dismissed.

Main case

CM for condonation of delay is dismissed. Consequently, appeal stands dismissed.

26.02.2018

pooja saini

**(P.B.BAJANTHRI)
JUDGE**

Whether speaking/reasons

Yes/No

Whether Reportable:

Yes/No