

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

**CM-25266-CII-2017 and
FAO No.7697 of 2017
Date of Decision:17.02.2018**

Smt.Sunita Devi and others

...Appellants

Versus

Chander Pal and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr.Virendra Rana, Advocate for the applicants-appellants.

ANIL KSHETARPAL, J. (ORAL)

This appeal has been filed after a delay of 3174 days.

No doubt, the appellants are claimants who had lost their bread earner but at the same time, it cannot be over looked that the award was passed on 27.9.2008 and the appeal has been filed in this Court on 11.9.2017 almost after 9 years. In order to seek condonation, it has been asserted in the application as under:-

“That the accompanying appeal is filed with delay of 3174 days due to the fact that the appellant No.1 was under intense pressure/responsibilities of 4 minor children left behind by the deceased Surender Singh including marriageable daughters and the appellant No.1 being the only lady in the family to earn bread for the whole family stayed away from the court just to save the funds she only left with after the death of the deceased and thereafter spent her savings on her daughters. Due to this the appellants did not have the sufficient funds to engage a counsel.

That now when the appellant is done with her responsibilities and now when the appellants have the sufficient

funds to engage a counsel, approaching this Hon'ble Court by way of filing the present appeal.”

In the considered opinion of this Court, the grounds as mentioned in the application for condonation of delay do not disclose sufficient cause for condoning the delay of almost 9 years. It appears that the appellants after having received the compensation in the year 2009 felt satisfied and did not file the first appeal. The averments made in the paras reproduced above clearly show that the appellants were not vigilant about their rights. In such circumstances, this Court does not find any good ground to condone the huge delay of 3174 days. Hence the application for condonation of delay is dismissed. Since the application for condonation of delay has been dismissed, therefore, the appeal is also dismissed being time barred.

17.02.2018
mks

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No