

(105) IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

LPA No.1324 of 2017 (O&M)
in CWP No.2261 of 2011
Date of decision: 26.02.2018

Punjab and Haryana High Court, Chandigarh

..... Appellant

Versus

Gobind Rai and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL.
HON'BLE MR. JUSTICE B.S. WALIA.

Present: Mr. Daman Dhir, Advocate for the appellant.

Rajesh Bindal, J.

Order passed by the learned Single Judge dated 24.05.2016 allowing the writ petition has been impugned by filing the present intra-court appeal. Along with the present appeal, an application seeking condonation of 377 days' delay in filing thereof has also been filed.

As grounds sought to be made out in the application initially filed were not sufficient, subsequently, affidavit dated 19.09.2017 was filed. Even a perusal thereof does not show that any reasonable ground is made out to condone huge delay of 377 days in filing the appeal.

The order was passed by the learned Single Judge on 24.05.2016. Though it is claimed that the order was uploaded on August 30, 2016 but there is nothing on record to suggest as to whether certified copy thereof was applied immediately after the order was pronounced or not. Opinion was sought from the counsel who appeared for the applicant/appellant on 06.09.2016 which was received on 23.11.2016 after

inordinate delay of more than two and a half months. Thereafter, again the matter remained pending for which there is hardly acceptable explanation. It is further claimed that on 02.06.2017 draft of the grounds of appeal was approved still appeal was filed on 05.07.2017 though the Court opened after summer vacation on 02.07.2017.

The aforesaid facts do not make out a case for condoning huge delay of 377 days in filing the appeal.

Accordingly, the application seeking condonation of delay of 377 days in filing the appeal is dismissed. Consequently, the appeal is also dismissed.

(Rajesh Bindal)
Judge

26.02.2018
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(B.S. Walia)
Judge

1. Whether speaking/reasoned : Yes/No.
2. Whether reportable : Yes/No.