

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

LPA No. 407 of 2017 (O&M) in
CWP No. 7123 of 2011

Date of decision: 13.7.2018

Krishan Pal and others

.. Appellants

vs

The Commissioner, Rohtak Division, Rohtak
and others

.. Respondents

**Coram: Hon'ble Mr. Justice Rajesh Bindal
Hon'ble Mr. Justice Anil Kshetarpal**

Present: Mr. Kanwaljit Singh, Senior Advocate with
Mr. Ajaivir Singh, Advocate, for the appellants.

Rajesh Bindal, J.

Present appeal has been filed against the order passed by the learned Single Judge dated 13.10.2015 whereby the appellants were found, prima facie, to be in unauthorised possession of the land. They were directed to pay mesne profits from the date of filing of the eviction petition. The appeal is accompanied by application seeking condonation of 454 days delay in filing thereof. The only ground mentioned in the application is that they came to know only when notice was received from the Collector for payment of the amount. However, we do not find this to be a reasonable ground for condoning huge delay of 454 days in filing the appeal.

Once the fact of disposal of the writ petition by the learned Single Judge was admittedly in the knowledge of the applicants-appellants, to claim that they were not aware of the directions regarding deposit of mesne profits, cannot be accepted.

For the reasons mentioned above, we do not find any ground to condone huge delay of 454 days in filing the appeal. Accordingly, the application seeking condonation of delay is dismissed. Consequently, the appeal is also dismissed.

(Rajesh Bindal)
Judge

13.7.2018
vs

(Anil Kshetarpal)
Judge

Whether speaking/ reasoned

Yes/No

Whether Reportable

Yes/No