

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

LPA-224-2018 (O&M)

Date of decision:- 18.07.2018

Dalbar Singh

...Appellant

Versus

Financial Commissioner (Revenue), Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE KRISHNA MURARI, CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN PALLI

Present:- Mr. Naresh Chander, Advocate,
for the appellant.

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KRISHNA MURARI, C.J. (ORAL)

This intra-court appeal under clause X of the Letters Patent Act filed against the judgement and order of the learned Single Judge dated 03.10.2016 is reported to be delayed by 338 days. An application under Section 5 of the Limitation Act, 1963 (in short the Act) seeking condonation of delay having duly supported by an affidavit has also been made.

2. The only ground set out in the affidavit filed in support of the application is that appellant was under the impression that there was no limitation for filing the appeal, but when he came to learned counsel for filing the appeal, then only he came to know that limitation had already expired.

3. This, in our view, does not inspire any confidence. It may be correct that the appellant may not be having knowledge about the prescribed limitation, but firstly the ignorance of law is no excuse and secondly the appellant, if was aggrieved by the order, should have immediately taken steps since it was within his knowledge that the order was appealable. In such view of the matter, it appears that such assertions have simply been made for the purpose of seeking condonation of delay and there is no substance in the same. The

delay of 338 days in filing the intra-court appeal is, therefore, not liable to be condoned on such vague and irrelevant grounds.

4. Accordingly, application under Section 5 of the Act stands dismissed.

5. Consequently, the appeal also stands dismissed as barred by limitation.

(KRISHNA MURARI)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

18.07.2018
Amodh

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No