

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

LPA-587-2018 (O&M)

Date of decision:- 17.07.2018

State of Haryana (through its Home Secretary) and
others

...Appellants

Versus

Balwan Singh and another

...Respondents

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

Present:- Mr. Lokesh Sinhal, Additional Advocate General, Haryana,
for the appellants.

* * * *

KRISHNA MURARI, C.J. (ORAL)

This appeal under clause X of the Letters Patent Act has been filed by the State of Haryana challenging the judgement and order of the learned Single Judge dated 23.05.2017 with delay and latches of 302 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 explanation submitted in the affidavit is that delay has occurred on account of the fact that the concerned file was being moved from one department to another seeking opinion to file LPA and permission. In our considered opinion, this explanation of time having been consumed in sending the file from one office to another seeking opinion and permission for filing the appeal cannot constitute sufficient ground to condone the delay. The litigant has to be vigilant about his rights and where the matter is taken so casually as

is the case in hand the delay is not liable to be condoned.

3. The application under Section 5 of the Act accordingly stands dismissed.

4. As a consequence, the appeal also stands dismissed on account of delay and latches.

(KRISHNA MURARI)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

17.07.2018
Amodh

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