

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

CM-4678-C-2018 in/&
RSA-1740-2018
Date of decision: 11.05.2018

Hasan Mohd.

.... Appellant

versus

Sami khan

.... Respondent

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Ms. Manjeet Kaur, Advocate for
Mr. Mohd. Arhsad, Advocate
for the applicant-appellant.

Kuldip Singh, J.(Oral)

This order of mine shall dispose of an application filed under Section 5 of the Limitation Act, 1963, for condonation of delay of 674 days in filing the present regular second appeal.

It is stated in the application that the appellant is an illiterate person. He has little knowledge about the process of law. The appellant took advice from the counsel and then was told that a procedure has to be followed to approach the High Court. Thereafter, the appellant immediately came to High Court. Therefore, the delay of 674 days in filing the appeal be condoned.

The judgments of both the Courts below show that the present appellant was represented by a counsel. Therefore, he got the legal advice and therefore, he cannot say that he is an illiterate person and had no knowledge about the process of law.

There is a delay of 674 days in filing the appeal. Mere illiteracy is no ground to condone such a huge delay.

As such, the application for condonation of delay of 674 days in filing the present regular second appeal is dismissed.

Since, the application for condonation of delay has been dismissed, therefore, the main regular second appeal also stands dismissed. Pending miscellaneous application, if any, shall stand disposed of.

11.05.2018
sonia

(KULDIP SINGH)
JUDGE

1. Whether speaking/non-speaking? Yes/No
2. Whether reportable? Yes/No