

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

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**CM-5112-C-2018 in/and
RSA-1842-2018 (O&M)
Date of Decision : 22.11.2018**

Raghbir Singh (deceased) through his LRs

....Appellants

vs.

Ved Parkash and others

....Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr.S.K.Yadav, Advocate
for the applicants-appellants.

AJAY TEWARI, J. (Oral)

CM-5112-C-2018

This is an application for condonation of delay of 939 days in filing the appeal on the ground that actually the case was being fought by the father of the applicants i.e. Raghbir Singh and the applicants had no knowledge about it. The father of the applicant had died and it was only when the execution taken place then the the applicants came to know about the case and then traced out the detail and filed the present appeal.

I however find that the appeal was filed by the father and one another person i.e. Amarnath (co-defendant with the father of the applicants) and had been dismissed on 29.9.2014 while the father of the applicants had died after almost three years on 1.7.2017. In the circumstances, it cannot be said the original party could not file the appeal during his life time.

No ground for condoning the delay is made out.

Application stands dismissed.

RSA-1842-2018

In the view of the dismissing the application for condonation of delay, the main appeal also stands dismissed.

22.11.2018
anuradha

(AJAY TEWARI)
JUDGE

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