

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

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RSA-3347-2017 (O&M)

Date of decision:04.05.2018

Surjeet Singh (Since Deceased) through LRs

... Appellant

Versus

State of Haryana and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present: Mr. Tara Chand Dhanwal, Advocate for the appellant.

P.B. BAJANTHRI, J. (ORAL)

CM-8107-C-2017

Learned counsel for the appellant submitted that appeal was presented in the year 2009. It was under office objection and the same was informed to the deceased-Surjit Singh (appellant). Whereas deceased-Surjit Singh died on 20.09.2015 and refiling of the appeal was made in the year 2017. Thus, there is delay in refiling to the extent of 2697 days. No material has been placed on record relating to communication among the Advocate on record, appellant-Surjit Singh (deceased) or LRs from the date of office had raised objections till refiling except stating that deceased-Surjit Singh died on 20.09.2015 and there was communication between the counsel for the appellant or LRs. Since sufficient cause has not been shown to condone enormous delay of 2697 days in re-filing the appeal; Thus, CM stands dismissed.

Main case

In view of the dismissal of the CM for condonation of delay, present RSA stands dismissed.

04.05.2018

pooja saini

**(P.B.BAJANTHRI)
JUDGE**

Whether speaking/reasons
Whether Reportable:

Yes/No
Yes/No