

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

(162)

RSA-5798-2017 (O&M)

Date of Decision: October 30, 2018.

Haryana State Agricultural Marketing Board and anr

..Appellants

Versus

Asha Rani and others

..Respondent

CORAM: HON'BLE MR.JUSTICE AMIT RAWAL

Present: Mr. Padamkant Dwivdei, Advocate, for the appellants.

AMIT RAWAL, J. (ORAL)

CM-15330-C-2017

The appeal is accompanied by application for condonation of delay of 204 days in filing the appeal preferred against the judgment and decree of the lower Appellate Court whereby the suit of the respondents/plaintiffs to recover the amount of Rs.9,06,481/- along with interest of 15%, has been decreed by setting aside the judgment and decree of the trial Court.

The contents of the application for condonation of delay would reveal that judgment and decree of the lower Appellate Court is dated 31.05.2016 but the file was somehow lost in the other office files and the Board did not come across the order impugned herein. In this respect, the officials of the Board contacted the lower Court counsel who informed that he had duly sent the certified copy of the order dated 31.05.2016 to the office of respondent Board. In this process, the file was sent to the office of learned Advocate General, Haryana for appointment of an Advocate for filing the instant appeal in the first week of March 2016 and accordingly the appeal was filed in the year 2017, therefore, the delay of 204 days has occurred in the entire process.

The contents of the application do not assign/reveal any specific reasons of each and every days necessary for the purpose of condonation of delay. It is not a case of unintentional act. Reliance in this regard is placed on the decision of Hon'ble Supreme Court in **Office of the Chief Post Master General and others Vs. Living Media Ltd. and another, 2012 (2) S.C.T. 269.**

Application for condonation of delay is dismissed.

Accordingly, the appeal is also dismissed.

October 30, 2018.
harsha

(AMIT RAWAL)
JUDGE

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