

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

**LPA No. 309 of 2019 (O&M)
Date of decision: 20.3.2019**

Jaideep

... Appellant

Versus

Union of India and others

... Respondents

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

Present: Ms. Sunita Gupta, Advocate, for
Mr. Mohd. Arshad, Advocate,
for the applicant-appellant.

KRISHNA MURARI, CHIEF JUSTICE (Oral)

This intra-court appeal, under clause X of the Letters Patent, is directed against the judgment and order dated 15.01.2016, passed by the learned Single Judge.

Office has reported delay and laches of 1088 days in filing this appeal. An application under Section 5 of the Limitation Act has been made seeking condonation of delay on the following averments:-

“ That the appellant in the present case is very poor person and whole of the family of the appellant is dependent upon the earning of appellant and thereafter there is no other earning member in the family of the appellant and as soon as they arranged the money for filing the present appeal in the Hon'ble High Court and in this manner the delay of 1088 days in filing the present appeal has been occurred.”

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A perusal of the abovesaid averments would go to show that the same are as vague as anything could be. We do not find such vague averments to be sufficient to condone the inordinate delay of more than 1000 days. It appears that these assertions have been simply cooked up for the purpose of filing this appeal and the same do not inspire confidence. Thus, the delay of 1088 days in filing the appeal is not liable to be condoned on such irrelevant consideration.

Accordingly, there being no ground to condone the delay, application under Section 5 of the Limitation Act is dismissed and as a consequence, the appeal is dismissed as barred by limitation.

(KRISHNA MURARI)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

March 20, 2019
AK Sharma

Whether speaking / reasoned:	YES
Whether Reportable:	NO