

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

LPA-916-2019 (O&M)
Date of decision:- 16.07.2019

Kirori Mal	Versus	..Appellant
State of Haryana and others		...Respondents

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

Present:- Mr. Sanjiv Gupta, Advocate, for the appellant.

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KRISHNA MURARI, C.J. (ORAL)

This intra court appeal under clause X of the Letters Patent is directed against the judgment and order dated 27.02.2017 passed by the learned Single Judge dismissing the writ petition filed by the petitioner (appellant herein).

2. Office has reported delay and laches of 694 days in filing the appeal. The appeal is accompanied by an application under Section 5 of the Limitation Act, 1963 seeking condonation of delay. The explanation submitted reads as under:-

“That in fact there occurred delay of 694 days in filing the present appeal. In fact, appellant-applicant is very poor person and is dependent upon livelihood by running a small shop. In fact, the appellant-applicant through his predecessor-in-interest, is in settled possession since long. Appellant-applicant after dismissal of the writ petition, was pursuing the officials of the State Government for even giving price of the land to which case was processed and is still sub judice, however, when the proper response did not come forward, appellant-applicant filed review application and review application was recently dismissed by the Hon’ble Single Judge of this Hon’ble Court. Not only this, appellant-applicant is not versed with the technicalities and procedure of law and on that account, there occur delay in filing the present appeal.”

3. From a perusal of the above, it would be seen that the reason set out is that after dismissal of the writ petition, the appellant was pursuing with the officials of the State Government even offering the price of the land. This runs totally contrary to the earlier part of the averment, wherein it is stated that the appellant is a very poor person. Even, any detail of pursuance of the matter with the officials of the State Government is not set out in the delay condonation application and only absolutely vague allegations have been made.

4. In view of the fact that the allegations are absolutely vague and as a matter of fact there exists no plausible explanation as to constitute sufficient ground to condone the inordinate delay of 694 days in filing the appeal, we are not inclined to condone the same.

5. The delay condonation application accordingly stands dismissed and, as a consequence, appeal stands dismissed as barred by limitation.

(KRISHNA MURARI)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

16.07.2019
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Whether speaking/reasoned	√Yes/No
Whether reportable	Yes/No√