

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

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FAO-5815-2018 (O&M)
Date of Decision : 18.10.2019

Rohtash Singh and another

.... Appellants

Versus

Parmajit Singh and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Mr. M.S.Randhawa, Advocate
for the appellants.

RAMENDRA JAIN, J. (ORAL)

The claimants have filed the instant appeal along with an application for condonation of inordinate delay of 1544 days. It has been pleaded that appeal could not file in time on account of lack of knowledge of law. However, when it was filed on 16.02.2018, the Registry of this Court after raising some objections, returned the same. Thereafter, appeal was re-filed on 17.05.2018. The aforesaid inordinate delay occurred in filling the appeal is not intentional and deliberate.

Heard.

Having given thoughtful consideration to the submissions made by learned counsel for the appellants, this Court finds the instant application completely devoid of any merit for the reasons to follow.

1. Ignorance of law is no excuse.
2. Non-filing of appeal on the ground that

appellants had no knowledge of law is not a valid ground inasmuch as under the supervision and control of the Hon'ble Supreme Court at National level and a Senior Judge of every High Court, at State level, empanelled legal-aid counsel of their respective District Legal Service Authority regularly visit every corner of this country including jails, either on day to day basis or weekly and make the citizens aware of their legal rights. Thus it does not lie in the mouth of the appellant that they were not aware of their legal rights, of filing appeal in time.

3. That apart, counsel for the appellants, representing them before the learned Tribunal must have told them about their legal right to file appeal, immediately after passing of impugned award. Thus, the aforesaid plea taken by the appellants has to be termed as false and frivolous.

4. By this time, it is well settled that each day's delay has to be explained in a mathematical manner. But the applicants have miserably failed to explain the same.

The applicants have not disclosed in their application

for condonation of delay as to when and on which date, they allegedly contacted their counsel at District Court and what was his name. Even appellants have not furnished affidavit of said counsel, who made them aware of their legal right of filing appeal for enhancement of compensation.

In the absence of any such particulars and affidavit of counsel, plea taken by the appellant is apparently false and unbelievable.

More so, condonation of such an inordinate delay of 1544 days in filing the instant appeal would amount to terming the law of limitation obsolete/redundant. The time has come to deprecate and reject such type of frivolous pleas taken in routine to abuse the process of law.

In view of discussion made above, the instant application for condonation of inordinate delay of 1544 days and the main appeal stand dismissed.

October 18, 2019
anju

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No