

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

LPA No. 2059 of 2017 (O&M)

Date of decision : 7.11.2019

Harbans Singh

... Appellant

Versus

Director State Transport, Punjab and others

... Respondents

**Coram: Hon'ble Mr. Justice Ravi Shanker Jha, Chief Justice
Hon'ble Mr. Justice Rajiv Sharma**

Present: Mr. L. S. Sidhu, Advocate, for the appellant.
Ms. Lovanya Paul, Assistant Advocate General, Punjab.

Ravi Shanker Jha, Chief Justice

CM No. 4069-LPA/2019

This application is filed by the State of Punjab for placing on record reply on behalf of respondent nos. 1 and 2.

Application is allowed. Reply is taken on record.

CM No. 4507-LPA/2017

This application is filed under Section 5 of the Limitation Act for condonation of delay of 963 days in filing the accompanying appeal.

It is averred in the application that the appellant came to know about the impugned judgment on 31.5.2017 though on 8.5.2017 the status of the case on the internet was shown as pending. To prove his submission, he has appended a photocopy of the status report. Reply to the application has been filed.

Learned counsel for the respondent has submitted that the impugned order was passed orally by the Hon'ble Bench in Court. Learned

counsel for the appellant was present which is evident from the impugned order.

Faced with this argument, learned counsel for the appellant has submitted that the said counsel Shri Naresh Kaushik did not inform him about the decision.

We have heard counsel for the parties and after perused of the record, are of the considered opinion that the appellant has not made averment in the application that he was not informed by the advocate appearing on his behalf that the decision has been taken by this Court on 18.12.2014. Moreover, print out of the internet report does not carry any date from which it could be ascertained that it was taken on 8.5.2017. Thus, from the resume of aforesaid facts and circumstances of the case, it is apparent that the appellant is making a lame excuse. The application for condonation of delay is dismissed and consequently, the present appeal is also dismissed.

(Ravi Shanker Jha)
Chief Justice

7.11.2019
vs

(Rajiv Sharma)
Judge

Whether speaking / reasoned

Yes/No

Whether reportable

Yes/No