

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

**RSA No.6177 of 2016 (O&M)
Date of Decision.29.01.2019**

Has Ram and others

...Appellants

Vs

Budh Ram and others

...Respondents

CORAM:HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. Chanderhas Yadav, Advocate
for the appellants.

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AMIT RAWAL J. (ORAL)

The present appeal is at the instance of defendants against the judgment and decree of the lower Appellate Court, which has partly decreed the suit by restraining them from forcibly dispossessing plaintiffs except in due course of law, accompanied by application seeking condonation of delay of 2499 day in filing of the same.

Before Mr. Yadav could address arguments, pointed out to this Court regarding notice of motion order passed in RSA No.1309 of 2016 arising out of dismissal of the suit for possession.

In the present case, injunction granted is most innocuous. No useful purpose would be served in tagging the present appeal with the aforementioned regular second appeal.

The explanation given in the application for condonation of delay is bereft of reasonable cause or bona fide as no date of engagement of the counsel or his death has been disclosed.

Moreover, defendants were ex parte before the trial court.

In view of the aforementioned fact, I do not find any illegality and perversity in the judgment and decree rendered by the lower Appellate Court, much less, no substantial question of law arises for determination by this Court. No ground for interference is made out. The appeal is dismissed both on the ground of delay as well as on merit.

(AMIT RAWAL)
JUDGE

January 29, 2019

Pankaj*

Whether Reasoned/Speaking Yes

Whether Reportable No