

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

RSA No.4182 of 2018 (O&M)

Date of Decision: February 25, 2019

Khushal Singh

...Appellant

Versus

Harkrishan Lal & others

...Respondents

CORAM: HON'BLE MR.JUSTICE AMIT RAWAL

Present: Mr. Ajit Singh Sodhi, Advocate,
for the appellant.

AMIT RAWAL, J.

The present Regular Second Appeal, at the instance of the appellant-defendant, has been filed against the concurrent findings of fact, whereby the suit of the respondent-plaintiff has been decreed, accompanied by an application under Section 5 of the Limitation Act seeking condonation of delay of 2434 days in filing the appeal.

The grounds pleaded for condonation of delay are that after the decision of the appeal filed before the Lower Appellate Court, talks of compromise were going on between the parties, but the same were not matured. Moreover, the appellant-defendant was given wrong legal advise that once the efforts with regard to compromise were going on, there was no requirement of filing the appeal.

I have heard the learned counsel for the appellant and appraised the paper book.

The application moved under section 5 of the Limitation Act by

the appellant before this Court does not reflect sufficient grounds. There is delay of almost seven years in filing the appeal. The explanation put forth by the appellant-defendant seems to be not plausible. The applicant-defendant has not been able to establish sufficient cause for condoning the delay in filing the present appeal. Consequently, the appeal is dismissed on the ground of delay.

February 25, 2019
ramesh

(AMIT RAWAL)
JUDGE

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