

IN THE HIGH COURT OF PUNJAB AND HARAYANA AT CHANDIGARH

110

CM-15322-C-2018 &
CM-15321-C-2018 &
CM-15323-C-2018 &
RSA-5556-2018

Date of decision: 22.01.2019

Executive Officer, Municipal Council, Khanna

...*APPELLANT*

VS.

Kulwant Rai Puri and others

...*RESPONDENTS*

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. P.S.Sidhu, Advocate,
for the appellant.

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AUGUSTINE GEORGE MASIH, J. (ORAL)

CM-15321-C-2018

Prayer in this application is for condonation of delay of 25 days
in re-filing the appeal.

For the reasons mentioned in the application, the same is
allowed. Delay of 25 days in re-filing the appeal stands condoned.

CM-15322-C-2018

Prayer in this application is for condonation of delay of 654 days
in filing the appeal.

A perusal of the application would not give any reason for
consideration of the explanation of the undue and extreme delay in filing the
present appeal after almost two years. The reason given for filing the appeal
after a delay is procedural requirements to be followed by the opinion of the
legal advisor, which was received on 30.01.2018. After that, time was
consumed for engaging a counsel with the approval of the Head of the

Department.

These grounds cannot be said to be reasonable or would be good enough to bring the same within the parameters of the requirement of law wherein Courts may exercise their jurisdiction to condone the delay. There is an unexplained and unwarranted delay on the part of the applicant-appellant in approaching this Court. The present application, therefore, deserves dismissal.

Ordered accordingly.

RSA-5556-2018

In the light of the dismissal of the application for condonation of delay in filing the appeal, the appeal is dismissed being time barred.

CM-15323-C-2018

In the light of the dismissal of the main appeal, the present application has been rendered infructuous and is disposed of as such

January 22, 2019

pj

**(AUGUSTINE GEORGE MASIH)
JUDGE**

Whether speaking/reasoned: Yes/No

Whether Reportable : Yes/No