

HIGH COURT OF CHHATTISGARH, BILASPUR**FA(MAT) No. 108 of 2020**

- Vijay Kumar Sahu, S/o Shri Ram Prasad Sahu, aged about 41 years, Caste Teli, Occupation Service, R/o Village Kumda Colony, Police Station Bishrampur Tahsil and District Surajpur Chhattisgarh.
----- Appellant.

Versus

- Smt. Hiramani Sahu W/o Shri Vijay Kumar Sahu, aged about 38 years Caste Teli, Occupation Housewife, R/o Village Kanchanpur, Post Kanchanpur, Police Station and Tahsil Baikunthpur, District Koriya Chhattisgarh.

----- Respondent

 For the Appellant :- Mr. Gyan Prakash Shukla, Appellant.
 For the Respondent :- None

Hon'ble Shri Justice Manindra Mohan Shrivastava
Hon'ble Smt. Justice Vimla Singh Kapoor,

Order on Board by Vimla Singh Kapoor, J.**07.10.2020**

Heard on IA No.1/2020, an application for condonation of delay in filing the appeal.

2. There appears to be a huge delay of 774 days in preferring this appeal.
3. The order impugned in this appeal was passed on 23.01.2018 by learned Family Court in Civil Suit No.31-A/2015.
4. The appellant herein had applied for Certified Copy of the impugned order on 25.01.2018 and the same was issued to him on 31.01.2018. However, after obtaining the certified copy of the order impugned, the present appeal has been preferred by the appellant on 12.06.2020 i.e. after delay of 774 days.
5. The appellant while explaining such a huge delay of 774 days has assigned innumerable reasons such as financial crunch,

resultant depression and lack of knowledge about the period prescribed under the Limitation Act for preferring the appeal.

6. The reasons assigned by the appellant which led to occurrence of an inordinate delay of 774 days, if seen in the light of the decisions of the Apex Court in the matter of **University of Delhi Vs. Union of India & others** dated 17.12.2019 rendered in **Civil Appeal No.9488-9489 of 2019 (arising out of SLP (Civil) Nos.5581-5582/2019)** and in the matter of the **State of Andhra Pradesh Vs. Shrinivasa Rao** passed in **SLP (Criminal) Diary No.9616/2020** dated 28.08.2020, appear to be the wholly unacceptable ones and therefore, do not appeal to the judicial conscience of this Court.

7. Therefore, the application for condonation of delay (IA No.1/2020) is hereby rejected and consequently, the appeal too goes by way of dismissal.

Sd/-

(Manindra Mohan Shrivastava)
Judge

Sd/-

(Vimla Singh Kapoor)
Judge