

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

**CRM No.5354 of 2020 and
CRM-A No.313 of 2020**

Date of Decision: 19.07.2022

Parveen Sidana

.....Petitioner

Versus

Balbir Singh

.....Respondent

BEFORE: HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present:- Mr. Rajesh Duhan, Advocate
for the applicant.

MEENAKSHI I. MEHTA, J.(Oral)

CRM No.5354 of 2020

This application has been moved on behalf of the applicant for seeking condonation of the delay of 775 days in filing the appeal to impugn the judgment dated 21.10.2017 passed by learned trial Court, while averring that due to some personal difficulties, she (applicant) could not contact her counsel so as to obtain the certified copy of the said judgment and though, she got the certified copy thereof on 19.09.2019 but her counsel in the trial Court did not advise her to prefer an appeal before this Court and later-on, some other lawyer apprised her in this regard and since she was not having sufficient funds to pay the legal fee, therefore, she approached the Legal

Services Authority concerned and thus, the above-mentioned delay on her part is not an intentional one.

2. I have heard learned counsel for the applicant on the instant application and have also perused the file carefully.

3. Learned counsel for the applicant contends that due to some unavoidable circumstances, the applicant could not procure the certified copy of the impugned judgment and moreover, her counsel did not inform her that she could file the appeal before this Court to challenge the said judgment and hence, the applicant could not do the needful well in time and even otherwise, she was having paucity of funds to pay the legal fee for the said purpose and it being so, the afore-said delay deserves to be condoned.

4. However, the above-raised contention is *sans* any merit because through-out in her application, the applicant has not come forward with any fair, candid and plausible reason for not obtaining the copy of the impugned judgment for a period of almost two years, i.e from 21.10.2017 to 19.09.2019 and she has not even disclosed the dates of her having been advised by some lawyer to approach this Court to assail the afore-said judgment and of her having moved the application for seeking legal aid for the said purpose. In these circumstances, it becomes explicit that the applicant has not been able to justifiably explain the above-said inordinate delay on her part.

5. Resultantly, the present application stands dismissed.

CRM-A No.313 of 2020

As a sequel to the dismissal of the afore-said application as moved by the applicant for seeking condonation of the delay in filing the

(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No