

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

**CM Nos.10720-CII to 10722-CII of 2019 and
FAO No.3130 of 2019**

Date of Decision: 17.05.2022

Jasbir Singh

.....Appellant

Versus

Santosh and others

.....Respondents.

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

Present:- Mr.Virender Mandhan, Advocate
for the applicant-appellant.

MEENAKSHI I. MEHTA, J.(Oral)

CM No.10720-CII of 2019

This application has been moved on behalf of the applicant-appellant for seeking condonation of the delay of 2550 days in filing the main appeal, while averring that he (applicant-appellant) approached his counsel to file the appeal against the order passed by the MAC Tribunal (for short 'the Tribunal') and his counsel assured him for the same but when he received the summons from the Executing Court, he came to know that his counsel had not filed any appeal and thus, the afore-said delay on his part, is not an intentional one.

I have heard learned counsel for the applicant-appellant on the

present application and have perused the file carefully.

The claimants-respondents No.1 to 4 preferred a claim petition against the applicant-appellant, respondent No.6 and respondent No.5, being the owner, driver and insurer of the offending vehicle respectively, for seeking compensation on account of the death of Ram Singh in a motor vehicular accident and the same was allowed by the Tribunal vide the Award dated 13.01.2012 with a direction to the respondent-Insurance Company to first pay the amount of compensation to the claimants while further observing that it (Insurance Company) could recover the same from the insured, i.e the applicant-appellant (owner).

A perusal of the said Award shows that the applicant-appellant had been duly represented by his counsel before the Tribunal. In the present application, the applicant-appellant has not even mentioned the date, month or year when he approached his counsel with the request to file the appeal against the said Award and has also not disclosed the date of the receipt of the summons from the Executing Court. Thus, it is explicit that the applicant-appellant has miserably failed to plausibly and justifiably explain the above-said inordinate delay on his part in filing the appeal.

Resultantly, the application in hand, being devoid of any merit, is hereby dismissed.

FAO No.3130 of 2019

As a sequel to the dismissal of the afore-mentioned application, as moved by the applicant-appellant, for seeking condonation of the delay of 2550 days in filing the instant appeal, it follows that the

present appeal also deserves dismissal on the ground of its being hopelessly
time barred and the same stands dismissed accordingly.

May 17, 2022
pooja

(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned: *Yes*

Whether Reportable: *No*