

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

147

1.     **CR-3383-2022**  
          **Date of decision: 10.11.2022**

LAKHWINDER SINGH (DECEASED) THROUGH  
LRS AND OTHERS **..Petitioners**

**Versus**

JAIPAL AND ANOTHER **..Respondents**

2.     **CR-3390-2022**

LAKHWINDER SINGH (DECEASED) THROUGH  
LRS AND OTHERS **..Petitioners**

**Versus**

JAIPAL AND ANOTHER **..Respondents**

**CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL**

Present:     Mr. Ojas Bansal, Advocate  
                  for Mr. Sanjiv Kumar Aggarwal, Advocate  
                  for the petitioners.

Mr. S.N. Pillania, Advocate  
for respondents.

**ANIL KSHETARPAL, J(Oral)**

This order shall dispose of CR-3383-2022 & CR-3390-  
2022.

These two revision petitions have been filed assailing the correctness of order passed by the First Appellate court on 28.07.2022, while dismissing the appeal on the ground of delay of 287 days in filing the appeal. The petitioner, while filing the appeal, filed an application for seeking condonation of delay of 287 days.

Para 2 of the application reads as under:-

*“2. That appellant could not file appeal within the prescribed period of limitation under wrong legal*

*advice and the appellant have not been advised to file appeal against the impugned judgment and decree as one civil revision against order dated 11.01.2008, for seeking possession of suit land is also pending. In this way, delay of 287 days has occurred in filing the present appeal.”*

The Appellate Court has found that the explanation furnished for condoning the delay of 287 days is not sufficient. It has further been found that the petitioners with malafide intention, are adopting dilatory tactics to prolong the matter.

This Bench has heard the learned counsel representing the parties at length and with their able assistance perused the paperbook.

It is evident from reading of para 2 of the application that the petitioner has failed to furnish plausible explanation for the delay. Moreover, neither the name of the person who gave wrong legal advice has been disclosed nor any other particular for identification has been mentioned. A decree of possession by way of specific performance of the agreement to sell has already been passed against the petitioner.

Hence, no ground to interfere is made out.

Dismissed.

All the pending miscellaneous applications, if any, are also disposed of.

**November 10<sup>th</sup>, 2022**

*Ay*

**(ANIL KSHETARPAL)  
JUDGE**

*Whether speaking/reasoned* : *Yes/No*  
*Whether reportable* : *Yes/No*