

**SATPAL AND OTHERS
V/S
STATE OF PUNJAB AND OTHERS**

Present: Mr. M.K. Dogra, Advocate
for the applicant-petitioners.

Mr. Navdeep Chhabra, Deputy Advocate General, Punjab.

CM-10165-CWP-2017

The present application has been filed seeking condonation of delay of 2267 days in filing RA-CW-365-2017.

Learned counsel for the applicant-petitioners argues that the applicant-petitioners were happy to know that their case has been allowed but they never knew about the order, which was passed and it was only after reading the judgment, they came to know that the order passed in their petition, was not correct according to them and hence filed the present application.

Learned counsel appearing on behalf of the respondent-State submits that explanation being given by the applicants-petitioners that they did not knew about the order, cannot be believed as the explanation given by the applicant-petitioners for the delay of 07 years in filing the present application seeking review is insufficient as each day's delay is to be explained as per the settled principle of law, duly supported by an affidavit, which is missing in this case.

Further, learned counsel for the applicant-petitioners submits that out of three petitioners, two petitioners have, unfortunately, died already.

Keeping in view the facts and circumstances of this case, the explanation which is being given for condonation of delay of 2267 days is not sufficient enough to convince this Court that the same is bona fide or beyond the control of the applicant-petitioners, rather it suggests that when the applicant-petitioners were not granted the relief by the respondents, which they were expecting, the present application has been filed at the said stage with a prayer to re-consider the matter again, which is impermissible. It is a settled principle of law that the delay can only be condoned, if day-to-day delay is sufficiently explained to the effect that the delay so occurred was beyond the control of the concerned party and was bona fide in nature.

In the present case, the applicants-petitioners have merely stated that the delay has occurred in the present case as they did not knew about the final order passed by this Court on their petition and they only came to know about the same in the year 2017 when they met some officials of the department, who told them that their case has already been decided. The averments made in the application do not inspire confidence. The reasons given by the applicants-petitioners to condone the delay are not sufficient enough to cover their case keeping in view the settled principle of law, which envisages as to under what circumstances the delay can be condoned.

Keeping in view the facts and circumstances of this case, no justifiable reason has come so as to accept the prayer of the applicants-petitioner to condone the delay of 2267 days in filing the review petition.

The application is dismissed.

RA-CW-365-2017

As the application seeking condonation of delay has been dismissed, the present review application is not maintainable and the same is also dismissed.

March 10, 2022
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(HARSIMRAN SINGH SETHI)
JUDGE