

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

147

2024:PHHC:011540

CR-342-2024 (O&M)
Date of decision: 29.01.2024

MARKET COMMITTEE, SOHNA ..Petitioner

Versus

NEERAJ @ NITU ..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Ashish Gupta, Advocate
for Mr. Prateek Mahajan, Advocate
for the petitioner.

Mr. Sudhir Aggarwal, Advocate
and Mr. Ishan Aggarwal, Advocate
for respondent

ANIL KSHETARPAL, J(Oral)

1. In this revision petition, the defendant assails the correctness of the First Appellate Court's order while refusing to condone the delay of 178 days in filing the first appeal. The condonation of delay was sought by the petitioner due to disturbance created by COVID-19 lockdown enforced nationwide. It was also claimed that the Secretary-cum-Executive Officer was transferred and therefore, the appeal could not be filed within the prescribed time.
2. The learned counsel representing the petitioner also relies upon the order passed by the Supreme Court in Miscellaneous Application No.21 of 2022 and other connected cases on 10.01.2022, directing exclusion of the period between 15.03.2020 to 28.02.2022.
3. The learned counsel representing the respondent has failed to contest the aforesaid factual position.
- 4.. Keeping in view the aforesaid discussion, the revision petition

is allowed. The order dated 25.10.2023 is set aside.

5. The delay of 178 days in filing the first appeal is condoned. The first appeal filed by the petitioner before the First Appellate Court is restored to its original number.
6. The parties through their learned counsel are directed to appear before the First Appellate Court on 19.02.2024.
7. All the pending miscellaneous applications, if any, are also disposed of.

January 29th, 2024
Ay

(ANIL KSHETARPAL)
JUDGE

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