

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

RSA No.5964 of 2019 (O&M)

Date of Decision: 31.01.2024

Joga Singh

...Appellant

Versus

Surinder Kumari and others

...Respondents

CORAM: *HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA*

Present:- Mr. Jaswinder Singh Grewal, Advocate
 for the applicant-appellant

MEENAKSHI I. MEHTA, J. (Oral)

CM No.16992-C of 2019

By way of the instant application, the applicant-appellant (here-in-after to be referred as 'the applicant') has sought condonation of the delay of 953 days in filing the Appeal bearing **RSA No.5964 of 2019**, while averring that he is a poor person and he did not have sufficient funds to file the above-said appeal earlier and now, his family has arranged for the money for this purpose.

2. I have heard learned counsel for the applicant-appellant on the present application and have also gone through the file carefully.

3. The sole ground/reason, as advanced by the applicant in this application for seeking condonation of the afore-mentioned delay in filing the appeal, is that he could not file the same within the prescribed period of limitation due to the paucity of funds.

4. However, the above-discussed ground does not cut any ice with this Court because even if the applicant was short of the funds to meet out the necessary expenses for filing the appeal, even then, the fact remains that had he made sincere efforts, he would certainly have come to know about the remedy that could be available to him in such eventuality, i.e to approach the competent Legal Services Authority to seek free legal-aid for filing the appeal in this Court but throughout in the instant application, he has not come forward with any fair and candid version in this regard.

5. As a sequel to the fore-going discussion, this Court is of the considered opinion that the afore-referred delay on the part of the applicant in filing the appeal, can safely be termed as an inordinate one and hence, the same does not deserve to be condoned. Resultantly, the application in hand stands dismissed.

RSA No.5964 of 2019 and
CMs No.16991-C, 16993-C and 16994-C of 2019

Consequent upon the dismissal of the above-said application as moved by the applicant for seeking condonation of the delay in filing this appeal, it follows that the same also deserves dismissal. Hence, the Regular Second Appeal in hand as well as the afore-referred Miscellaneous Applications, stand dismissed accordingly.

31.01.2024
pooja

(MEENAKSHI I. MEHTA)
JUDGE

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