

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

(Sr. No.103)

CM-4007-LPA-2023 in/and
LPA-1561-2023
Date of decision: 05.01.2024

Dilbag Singh @ Dilbag Singh Ranga and another

.....Appellants

Versus

The Financial Commissioner (DB-2), Haryana and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present : Mr. Ashok Verma, Advocate for the applicants-appellants.

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DEEPAK SIBAL, J. (Oral)

(1) There is a delay of 1591 days in filing of the instant intra court appeal. The reason given for the delay is that the learned counsel, who had been engaged by the appellants did not inform the appellants about the dismissal of their writ petition. For the delay the appellants also blame the outbreak of the pandemic COVID-19.

(2) Learned counsel for the applicants-appellants has been heard and with his able assistance the record of the case has also been perused.

(3) The impugned judgment is dated 08.03.2019. The outbreak of the pandemic COVID-19 was in March, 2020. The only explanation given by the appellants for the delay of over one year between the date of the passing of the impugned judgment and the outbreak of the pandemic COVID-19 is that their counsel did not inform them about the fate of their

case. The counsel blamed by the appellants is Mr. S. P. Sehri whereas the counsel who appeared for them before the learned Single Judge is Mr. S. K. Birla. Even otherwise the explanation is found to be vague and unsubstantiated.

(4) Even if the appellants are granted the benefit with regard to the outbreak of the pandemic COVID-19, the same ended in February, 2022. The instant appeal was filed on 16.08.2023. For the delay between February, 2022 and 16.08.2023 no explanation whatsoever has been given by the appellants.

(5) In the light of the above, the inordinate delay of 1591 days in the filing of the appeal is not found to have any satisfactory explanation. Therefore, the same is not liable to be condoned. Resultantly, the application seeking condonation of delay is dismissed and consequently, the accompanying appeal also meets the same fate as the application.

(DEEPAK SIBAL)
JUDGE

05.01.2024
sunil yadav

(DEEPAK MANCHANDA)
JUDGE

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