

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

RSA No.3715 of 2023 (O&M)
Date of Decision: 15.01.2024

Rewati Devi & others
...Appellants

Versus

Beer Singh (since deceased) through LRs & Ors.
...Respondents

CORAM: HON’BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present:- Mr. Punit Malik, Advocate,
for the appellants.

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MEENAKSHI I. MEHTA, J.(ORAL)

CM No.13317-C of 2023

By way of the present application, the applicants-appellants have sought condonation of the delay of 595 days in filing the **Regular Second Appeal No.3715 of 2023**, while averring that they are poor persons and have no source of income and therefore, they could not arrange for the funds earlier so as to pay fee to the counsel and to bear other necessary expenses, for filing the appeal and now, they have got the financial help from their relatives for the above-said purpose.

2. I have heard learned counsel for the applicants-appellants on the instant application and have also perused the file carefully.

3. The sole ground, as set-forth by the applicants-appellants in the present application to explain the afore-mentioned delay in filing the main appeal, is that earlier, they had been facing paucity of the funds for the said purpose. However, except their above-discussed oral, bald and self-serving

averments, they have not placed any cogent material on the file to substantiate the afore-said ground. Even otherwise, had they made any sincere efforts, they would certainly have come to know about the remedy to be availed, in such an eventuality, by way of approaching the competent Legal Services Authority for seeking free legal-aid for filing the appeal before this Court but throughout in this application, they have not come forward with any fair and candid version in this regard.

4. As a sequel to the fore-going discussion, this Court is of the considered opinion that the above-referred delay on the part of the applicants-appellants 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.3715 of 2023
CM No.13316-C of 2023
CM No.13318-C of 2023

Consequent upon the dismissal of the afore-said application as moved by the applicants-appellants for seeking condonation of the delay in filing the appeal, it follows that the instant RSA also deserves dismissal on the ground of its being hopelessly time-barred. It being so, the above-mentioned Regular Second Appeal as well as both the afore-indicated Miscellaneous Applications stand dismissed accordingly.

15.01.2024
seema

(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned: Yes
Whether Reportable: No