



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

(Sr. No. 126)

LPA No.2757 of 2024 (O&M)

Date of decision: 06.11.2024

State of Haryana and others

..... Appellants

Versus

Rajmal Singh and another

..... Respondents

**CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL
HON'BLE MR. JUSTICE DEEPAK MANCHANDA**

Present : Mr. Sanjeev Kaushik, Addl. A. G., Haryana for the appellants.

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DEEPAK SIBAL, J. (Oral)

(1) There is a delay of 1946 days in filing and 48 days in re-filing of the instant intra court appeal.

(2) Learned counsel for the appellants submits that the appellant-State had sought review of the impugned judgment which review application was disposed of by the learned Single Judge only on 08.11.2023. Thus, the delay, if any, was on account of availing of a remedy available to the appellant and therefore, the same being *bona fide*, should be condoned.

(3) The impugned judgment is dated 20.02.2019 and the application filed by the appellant-State seeking its review was filed in the year 2023. There is no explanation found on the record for the delay which occurred between the date of the passing of the impugned judgment and the filing of the review application. Similarly, no explanation is also found on the record from 08.11.2023 *i.e.* the date of the disposal of the review application and the date of filing of the present appeal on 24.10.2024.



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(4) In the light of the above, the State has miserably failed to explain the inordinate delay of 1946 days in filing of the present intra court appeal. Resultantly, the application seeking condonation of delay is dismissed. Consequently, the appeal also meets the same fate having being filed after the prescribed period of limitation.

(5) All pending miscellaneous application(s), if any, also stand disposed of.

(DEEPAK SIBAL)
JUDGE

06.11.2024
sunil yadav

(DEEPAK MANCHANDA)
JUDGE

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