

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

FAO No.6026 of 2023 (O&M)

Date of Decision: 19.01.2024

Mukesh Kumar

.....Appellant

Versus

Premo Devi and others

.....Respondents

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

Present:- Mr. Vishwajeet, Advocate
 for the appellant.

MEENAKSHI I. MEHTA, J. (Oral)

CM No.20704-CII of 2023

By way of the instant application, the applicant-appellant has prayed for condonation of the delay of 890 days in filing the appeal, i.e ***FAO No.6026 of 2023***, while averring that he was under the impression that the Award, as passed by the Tribunal, was final and he was not aware of the technicalities of law and did not have any idea that the remedy of filing an appeal against the said Award, was available to him and therefore, the afore-said delay is not an intentional one and deserves to be condoned.

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

3. The plea/ground, taken by the applicant-appellant for seeking condonation of the above-said delay, is that he did not have any knowledge qua the technicalities of law and was not aware of the remedy of filing the

appeal. However, this plea is not plausible at all because it is well-settled that '*the ignorance of law is no excuse*'. Rather, as a prudent litigant, he (applicant) was expected/supposed to have consulted his counsel to know about the legal remedy/next course of action that could be available to him, to challenge the Award but he preferred to keep mum over this matter for a period as long as 890 days, for the reasons best known to him and in these circumstances, the afore-mentioned delay can, by no stretch of imagination, be construed to be justified.

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 applicant-appellant 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.

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CMs No.20705-06-CII of 2023

Consequent upon the dismissal of the afore-said application as moved by the applicant-appellant for seeking condonation of the delay in filing the appeal, it follows that the instant appeal also deserves dismissal on the ground of its being hopelessly time-barred. It being so, the above-said appeal (FAO) as well as both the afore-indicated Miscellaneous Applications, stand dismissed accordingly.

January 19, 2024
Yag Dutt

(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned: *Yes*
Whether Reportable: *Yes*