



Sr. No.130

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

**CM-6527-CII-2025 in/and
FAO-2052-2025 (O&M)
Date of decision: 11th August 2025**

POONAM AND OTHERS

.....Appellants

versus

JONI SINGH AND OTHERS

.....Respondents

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Harinder Malik, Advocate for
Ms. Sunita Nain, Advocate
for the applicants-appellants.

HARPREET KAUR JEEWAN, J. (ORAL)

CM-6527-CII-2025

1. The present application has been filed for condonation of delay of 256 days in filing the main appeal.
2. Learned counsel for the applicants-appellants submits that due to the untimely death of the earning member of the family of the applicants-appellants, they were not having sufficient means to engage the counsel and they were not in a position to arrange for the requisite funds to file the appeal within the period of limitation. However, in the first week of March, 2025, the applicants-appellants arranged for the funds and met the counsel along with the requisite documents to file the appeal on 03.03.2025, which resulted in the delay of 256 days in filing the appeal.
3. I have heard the aforesaid submissions and perused the paper book.
4. As per the Award dated 12.04.2024, passed by the Tribunal, the compensation of Rs.19,69,500/- along with interest @ 9% per annum, was



awarded to the applicants-claimants. It was also ordered that the amount of compensation be directly deposited by the Insurance Company either by way of Account Payee Cheque or through Demand Draft. Liberty was also given to the Insurance Company to directly transfer the amount of compensation in the account of the applicants-appellants by way of RTGS/NEFT or through any other mode permitted by the Bank.

4.1 It is also evident that an application for preparing the certified copy of the Award was filed before the Copy Agency on 25.04.2024. The copy was prepared on the same day and the certified copy was received on 01.05.2024, whereas, the present appeal has been preferred on 24.03.2025 through e-mode and thereafter, the objections were removed.

5. No sufficient cause has been explained for such a long delay in filing the appeal. There is no averment in the present application that the Insurance Company has not paid the compensation, as awarded by the Tribunal. In such circumstances, the general contention of the applicants-appellants that the financial crunch was the reason for the delay in filing the appeal is not acceptable.

6. The Hon'ble Apex Court, in "State of Madhya Pradesh vs. Ramkumar Choudhary"; Special Leave Petition (C), Diary No.48636 of 2024, Date of Decision: 29.11.2024, has observed that the discretion to condone the delay has to be exercised judiciously based on the facts and circumstances of each case and the expression "sufficient cause" cannot be liberally interpreted, if negligence, inaction or lack of *bona fide* is attributed to the party. It was further observed that where a case has been presented in the Court beyond the period of limitation, the petitioner has to explain the Court as to what was the "sufficient cause", which means an adequate and



enough reason which prevented him to approach the Court within limitation.

Reference was also made to the observations of the Hon'ble Apex Court in "Majji Sannemma vs. Reddy Sridevi"; 2021 SCC Online SC 1260, wherein, it was held that even though limitation may harshly affect the rights of a party, it has to be applied with all its rigour when prescribed by statute. A reference was also made to the decision of the Hon'ble Apex Court in "Ajay Dabra vs. Pyare Ram, 2023 SCC Online SC 92, wherein, it was held as follows:-

"13. This Court in the case of *Basawaraj v. Special Land Acquisition Officer* [(2013) 14 SCC 81] while rejecting an application for condonation of delay for lack of sufficient cause has concluded in Paragraph 15 as follows:

"15. The law on the issue can be summarised to the effect that where a case has been presented in the court beyond limitation, the applicant has to explain the court as to what was the "sufficient cause" which means an adequate and enough reason which prevented him to approach the court within limitation. In case a party is found to be negligent, or for want of bona fide on his part in the facts and circumstances of the case, or found to have not acted diligently or remained inactive, there cannot be a justified ground to condone the delay. No court could be justified in condoning such an inordinate delay by imposing any condition whatsoever. The application is to be decided only within the parameters laid down by this Court in regard to the condonation of delay. In case there was no sufficient cause to prevent a litigant to approach the court on time condoning the delay without any justification, putting any condition whatsoever, amounts to passing an order in violation of the statutory provisions and it tantamounts to showing utter disregard to the legislature."



14. Therefore, we are of the considered opinion that the High Court did not commit any mistake in dismissing the delay condonation application of the present appellant."

7. In view of the facts and circumstances of this case, this Court is of the considered opinion that no sufficient cause has been explained for the inordinate delay of 256 days in filing the present appeal.

8. Consequently, the present application, being devoid of merits, is dismissed.

9. CM stands disposed of.

Main case

10. The present appeal has been filed seeking enhancement of compensation, awarded by the learned Motor Accident Claims Tribunal, Jind vide impugned Award dated 12.04.2024.

11. Since the appeal has been filed beyond the period of limitation and the application seeking condonation of delay has been dismissed, as such, the present appeal stands dismissed.

12. Pending miscellaneous applications, if any, shall stand disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

11th August 2025
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<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>