

CNR No.HRPP01-007214-2023.

CIS No.CA-158 of 2023.

UHBVNL and others versus M/s Sahib Motors

Present: Shri Vikas, counsel for the appellants.
Shri Rakesh Saini, counsel for the respondent.

Learned counsel for the respondent has stated at bar that he does not want to file reply to the application for condonation of delay and will advance the argument. Heard on the said application.

It is well settled proposition of law that the words “sufficient cause” must receive a liberal construction so as to advance substantial justice when no negligence nor inaction nor want of benefit is imputable to the party seeking condonation of delay. The applicants-appellants have submitted that there is delay of sixty two days in filing the appeal due to departmental procedure. The explanation furnished by the applicants-appellants does not appear to be plausible, however, keeping in view the well settled proposition of law to the effect that the parties should be allowed to get their cases decided on merits and technicalities should not come in the way of justice, I am of the considered opinion that the delay in filing the appeal should be allowed to be condoned and the applicants-appellants should be given opportunity to pursue the appeal on merits. Therefore, I allow the prayer made by the applicants-appellants for condonation of delay. Application stands allowed of accordingly.

Learned counsel for the appellants has stated at bar that he does not want to press application under Order 41 Rule 5 and Section 151 of CPC for staying the operation of the impugned judgment and decree at this stage.

Arguments on the merits of appeal heard. Now, for pronouncement of order, the file be put up after lunch break.

14.11.2024.

Asha Rani
Stenographer Gr-I

(Sudesh Kumar Sharma)
District Judge, Panipat.
(UID No.HR0058)

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Order pronounced.

Vide my separate detailed judgment of even date, the present appeal has been dismissed. Parties have been left to bear their own costs. Decree sheet be prepared accordingly. Lower Court record be sent back alongwith a copy of this judgment. Appeal file be consigned to record room after due compliance.

Announced:
14.11.2024.

(Sudesh Kumar Sharma)
District Judge, Panipat.
(UID No.HR0058)

Asha Rani
Stenographer Gr-I