



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

RSA-1503-2026 (O&M)

Date of Decision:21.04.2026

**HARYANA URBAN DEVELOPMENT AUTHORITY AND
ANOTHER**

...Appellants

Versus

BRIG SATBIR SINGH AHLAWAT

...Respondent

CORAM: HON'BLE MR. JUSTICE PARMOD GOYAL

Present: Mr. Bhupender Singh, Advocate
For the appellants.

PARMOD GOYAL, J. (ORAL)

Present regular second appeal has been preferred by appellants-defendants against concurrent findings of facts arrived at by learned Courts below vide impugned judgment and decree dated 04.01.2019 passed by learned Civil Judge (Junior Division), Hisar whereby suit for declaration preferred by respondent-plaintiff was decreed as well as judgment and decree dated 11.03.2024 passed by learned District and Sessions Judge, Hisar whereby first appeal preferred by appellants-defendants was dismissed.

2. Along with present regular second appeal, appellants-defendants have moved an application (CM-5419-C-2026) seeking condonation of delay of 656 days in filing present appeal. It was averred that the judgment and decree was passed by learned District and Sessions Judge, Hisar on 11.03.2024 and thereafter, certified copy was received on 14.03.2024. Appellants-defendants accordingly sought legal opinion vide



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which filing of appeal was recommended. Thereafter, appellants-defendants started collecting the documents and sought for administrative approvals for filing present appeal which led to delay of 656 days. It is asserted that some time is taken by Government Departments as case file is processed at different stages within Department which inadvertently took more time than usual in present case, due to change of dealing Assistant.

3. On consideration, I do not find any justification for condonation of delay for the reasons stated in application where the certified copy was taken within 03 days of judgment passed by learned District and Sessions Judge, Hisar and thereafter, appeal was recommended to be filed. However, despite clear direction to file appeal, no efforts were made by the Department and now condonation is being sought on the ground of administrative delay. Negligence on the part of applicant cannot be justified on the plea of time taken for administrative approvals. The applicant was bound to show how time was spent in seeking administrative approval and what action was taken against persons who were negligent in not getting the appeal processed. In absence of any such material, it seems that applicant is trying to justify 656 days delay which is result of negligence and not on account of day-to-day working of the appellant-defendant-HUDA. Negligence cannot be condoned. Hence, present application for condonation of delay is dismissed. Main appeal is also dismissed being time barred.

4. Pending application(s), if any, is/are disposed of accordingly.

21.04.2026
Ravinder

(PARMOD GOYAL)
JUDGE

Whether Speaking/Reasoned	:	Yes/No
Whether Reportable	:	Yes/No