

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR



S.B. Civil Miscellaneous Appeal No. 4454/2018

Rajasthan State Road Transport Corporation Through General Manager, Rajasthan State Road Transport Corporation, Parivahan Marg, Chomu House C-Scheme, Jaipur. (Owner Of Roadways Bus No. Rj 05 Pa 0538)

----Appellant

Versus

1. Hargovind @ Beerbal S/o Jagram, Aged About 46 Years, R/o Village Lahakpur, Tehsil Wadi, Police Station Kanchapur, Distt. Dholpur, At Presents Of 13/297, Mansarovar, Jaipur, Rajasthan.
2. Meera W/o Shri Hargovind, Aged About 36 Years, R/o Village Lahakpur, Tehsil Wadi, Police Station Kanchapur, Distt. Dholpur, At Presents Of 13/297, Mansarovar, Jaipur, Rajasthan.
3. Dharamveer S/o Shri Hargovind, Aged About 18 Years, (Minor At The Time Of Filing The Claim Petition Through His Natural Guardian Father Shri Hargovind), R/o Village Lahakpur, Tehsil Wadi, Police Station Kanchapur, Distt. Dholpur, At Presents Of 13/297, Mansarovar, Jaipur, Rajasthan.
4. Shailendra S/o Shri Hargovind, Aged About 13 Years, (Minor Through His Natural Guardian Father Shri Hargovind), R/o Village Lahakpur, Tehsil Wadi, Police Station Kanchapur, Distt. Dholpur, At Presents Of 13/297, Mansarovar, Jaipur, Rajasthan.
5. Chotu S/o Shri Hargovind, Aged About 10 Years, (Minor At The Time Of Filing The Claim Petition Through His Natural Guardian Father Shri Hargovind), R/o Village Lahakpur, Tehsil Wadi, Police Station Kanchapur, Distt. Dholpur, At Presents Of 13/297, Mansarovar, Jaipur, Rajasthan.
6. Than Singh S/o Shri Padam Singh, Aged About 55 Years, R/o Village Agavali, Police Station Bayana, Distt. Bharatpur, Rajasthan. (Driver Of Roadways Bus No. Rj 05 Pa 0538)

----Respondents

For Appellant(s) : Dr. Mahesh Sharma

HON'BLE MR. JUSTICE GANESH RAM MEENA

Order

30/05/2025

1. Matter comes up on the application No.2659/2018 filed by the applicant/appellant under Section 5 of the Limitation Act for condonation of delay of 507 days in filing the appeal.
2. Learned counsel for the applicant/appellant submits that the delay in filing the appeal is due to time consumed in the administrative process by the corporation.
3. Considered the submissions made by counsel for the appellant and the averments made the application filed for condonation of delay.
4. In para No.2 of the application, the appellant has given out the reasons for delay in filing the appeal. The para No.2 of the said application is quoted as under:-

"That it has been received to the office of the counsel soon after elapsing the date of filing the appeal because in the official proceedings of the corporation it could not reached within the stipulated period and a slight delay was occurred due to official proceedings therefore delay caused in filing the appeal is condonable."
5. The averments made in the para No.2 of the application and the reasons shown for delay in filing the application are vague without disclosing the complete facts whereas, condonation of delay day to day basis is to be explained satisfactorily.

6. This Court does not find any sufficient ground to condone the delay.
7. Accordingly, the application for condonation of delay in filing the appeal is dismissed.
8. Consequently, on dismissal of the application for condonation of delay, the appeal is also dismissed being time barred.
9. Pending application including stay application, if any, also stands disposed of.

(GANESH RAM MEENA),J

Ashish Kumar /253