
(1997) 02 AHC CK 0129
In the Allahabad High Court
Case No : Criminal Revision No. 242 of 1989

Surendra Kumar

APPELLANT

Vs

Ashok Kumar and Others

RESPONDENT

Date of Decision : 28-02-1997

Acts Referred:

Citation : (1997) 21 ACR 517

Hon'ble Judges : P.K. Jain, J

Bench : Single Bench

Judgement

P.K. Jain, J.—Heard Sri K.M. Rana, brief Holder of Sri V.P. Srivastava, learned Counsel for the revisionist and Sri R.K. Khanna, learned Counsel for opposite parties No. 1 and 2 and learned A.G.A. for State.

2. This is an application for condonation of delay in filing the revision. Revision is filed with a delay of 20 days. Condonation of delay is sought on the ground that when the applicant was coming to Allahabad, his pocket was picked and he had no money. He had to go back to Moradabad and could not come to Allahabad till 22.2.89 due to heavy rush of Kumbha Mela and it was not intentional default on his part. In his counter-affidavit, the opposite party No. 1 stated that the applicant did not come to Allahabad on 23.1.89 as he was very much present at Moradabad on that date. His allegation of pick-pocketing is not supported by any other evidence like lodging of the first information report.

3. It appears from the perusal of the record that the memo of revision was got prepared on 24.1.89 and it was submitted for reporting on 15.2.89 and was filed on 23.2.89. In the circumstances, the allegations that revisionist pocket was picked on account of which he could not file the revision in time, do not appear to be correct. No sufficient ground for condonation of delay is made out.

The application for condonation of delay is rejected.