

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CWP No. 4212 of 2015

Date of decision: 27.03.2015

Joginder Singh

..... Petitioner

Versus

Joint Development Commissioner and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE RAJIVE BHALLA  
HON'BLE MR. JUSTICE AMOL RATTAN SINGH

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Present:- Mr. N.P.S.Mann, Advocate  
for the petitioner.

Mr. Rajinder Goyal, Addl. A.G. Punjab  
for respondent nos. 1 to 3.

Mr. Umesh Kumar, Advocate  
for respondent No. 4.

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**RAJIVE BHALLA, J (ORAL).**

Challenge in this petition is to order dated 05.02.2015, whereby the Joint Development Commissioner (IRD), Punjab, has condoned the delay of 17 years in filing the appeal.

Counsel for the petitioner submits that a perusal of order dated 05.02.2015 reveals that no reasons have been assigned for condoning a delay of 17 years and even otherwise the order is arbitrary.

Counsel for the Gram Panchayat submits that as delay was occasioned by fraud and collusion by the then Gram Panchayat, the Joint Development Commissioner (IRD), Punjab, has rightly condoned

We have heard the counsel for the parties and perused the impugned order, which reads as follows:-

*“Order is pronounced on the matter of delay. Application for delay is accepted. Case be listed for arguments on 26.03.2015.*

A perusal of the aforesaid order reveals that no reasons have been assigned for condoning delay. Apart from the absence of any reasons, there is no reference of the pleadings or the arguments raised for or against the condonation of delay.

A perusal of the impugned order reveals that not only is it

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perfunctory, but no reasons have been assigned for condoning the delay. Consequently, we allow the writ petition, set aside the order dated 05.02.2015 and restore the matter to the appellate authority to decide the matter afresh and in accordance with law.

**(RAJIVE BHALLA)**  
**JUDGE**

**( AMOL RATTAN SINGH )**  
**JUDGE**

27.03.2015  
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