

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

Date of decision: 22.02.2017

CWP No.22636 of 2016 (O&M)

Lal Singh

.... Petitioner

Vs.

Presiding Officer & ors.

.... Respondents

CWP No.22649 of 2016 (O&M)

Pale Ram & anr.

.... Petitioners

Vs.

Presiding Officer & ors.

.... Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Deepak Sonak, Advocate
for the petitioners.

Mr. Navkiran Singh, Advocate
for respondent No.2.

RAJIV NARAIN RAINA, J. (ORAL)

These petitions have been filed against the awards dated 10.11.2003 and 23.10.2003 made by the Labour Court, Faridabad dismissing the references. The same cannot be said to be filed within reasonable time in order to lay challenge thereto. If the petitioners felt aggrieved they should have taken timely steps with due diligence in pursuing the case. If their lawyer duped them as easily blamed in the writ petition, they were free to take whatever action they wished against him. Blaming a poor counsel for causing 13 years of delay in approaching Court is preposterous and does not by itself absolve them of their negligence in pursuing legal remedy. There is no satisfactory explanation for the humongous delay in the petition or why they did not prudently remain in

touch with their counsel if they ever engaged one. Even if they did I would not interfere. It would be wholly unjust, unfair and inequitable on the management to summon them, assuming the petitioners have a case to contest, at this distance of time when they must have rearranged their affairs many years ago and employed other hands meanwhile leaving no scope for consideration of reinstatement or to compensation in lieu thereof.

This Court would not entertain this petition in exercise of writ jurisdiction on a stale and dead claim which would be unfair to reopen after more than 13 years of the passing of the awards.

Dismissed.

(RAJIV NARAIN RAINA)
JUDGE

22.02.2017

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1. *Whether speaking/reasoned?*
2. *Whether reportable?*

Yes
No