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

CWP No.8073 of 2017

Date of Decision : 09.05.2017

Sakender Kumar

..... Petitioner

Versus

State of Haryana and another

..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Manjeet Singh, Advocate
for the petitioner.

AJAY TEWARI, J. (Oral)

The representation filed by the petitioner against the adverse remarks has been rejected by the competent authority by noticing that it was filed 17 days beyond the statutory period of 45 days provided for the same. The competent authority also noticed that it had the discretion to condone the delay if the petitioner had shown justification for the same but in the representation no ground was mentioned for the justification of delay. This petition has been filed challenging that order and it has been prayed that the competent authority be directed to decide the representation on merits. Strictly speaking no fault can be found with that order. However, it cannot be lost sight of that this is the first remedy which the petitioner had against

In the circumstances, I deem appropriate to direct the petitioner to now move an application for condonation of delay. In case the competent authority comes to the conclusion that there were sufficient grounds to condone the delay in filing the representation, it would condone the delay and would then proceed further to decide the representation on merits.

Petition stands disposed of in the above terms.

Since the main case has been decided, the pending Civil Misc. Application, if any, also stands disposed of.

May 09, 2017
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(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No