

CM-7762-C-2017 in/and
RSA No. 2875 of 2016(O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CM-7762-C-2017 in/and
RSA No. 2875 of 2016(O&M)
Date of decision: 18.04.2017

The Executive Engineer, (Op) DHBVN Div. & others

...Appellants

Vs.

Ram Murti

...Respondent

CORAM:- HON'BLE MR.JUSTICE RAJIV NARAIN RAINA

Present: Ms. Mansi Bansal, Advocate,
for Mr. Sunil Kumar Sharma, Advocate,
for the applicants/appellants.

None for the respondent.

RAJIV NARAIN RAINA, J. (Oral)

The Supreme Court in *Office of the Chief Post Master General
& ors. v. Living Media India Ltd. & Anr.*, **2012(2) S.C.T.269** has observed
on delays in filing appeals etc by the State and its agencies as under :

*“13. In our view, it is the right time to inform all
the Government bodies, their agencies and
instrumentalities that unless they have reasonable
and acceptable explanation for the delay and there
was bona fide effort, there is no need to accept the
usual explanation that the file was kept pending
for several months/years due to considerable
degree of procedural red-tape in the process. The
Government departments are under a special
obligation to ensure that they perform their duties
with diligence and commitment. Condonation of
for Government departments. The law shelters*

everyone under the same light and should not be swirled for the benefit of a few. Considering the fact that there was no proper explanation offered by the Department for the delay except mentioning of various dates, according to us, the Department has miserably failed to give any acceptable and cogent reasons sufficient to condone such a huge delay. Accordingly, the appeals are liable to be dismissed on the ground of delay.”

Keeping in view the aforesaid, I am of the view that the explanation for condonation of 248 days for delay in filing the appeal offered by the appellant is not worth acceptance.

The appeal is dismissed on the ground of delay.

(RAJIV NARAIN RAINA)
JUDGE

18.04.2017
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<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>