

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

Date of decision: 17.01.2017

CM No.12539-C of 2016 in/and
RSA No.4844 of 2016

State of Punjab & others

...Appellants

Vs.

Sarban Singh

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. M.S.Naryal, DAG, Punjab.

RAJIV NARAIN RAINA, J. (ORAL)

As per office report, notice issued to the solitary respondent has been received back with the report that he has gone abroad.

The suit of the plaintiff-respondent has been decreed whereby the suspension period of the plaintiff was treated as leave and appeal to the lower appellate court was rejected, and the impugned order stands set aside by the Courts *a quo*.

This appeal has been filed by the State of Punjab after a delay of 1168 days, which is to say the least humongous, which can neither be condoned nor forgiven. In the application for condoning the delay, there are only stock defenses taken of delay caused by the proverbial red tape, but without any valid explanation forthcoming or sufficient cause shown for the delay in filing the second appeal. I would, therefore, find no justifiable reason to condone the delay and would dismiss the application as well as the appeal itself by applying the principles indicated by the Supreme Court in

CM No.12539-C of 2016 in/and
RSA No.4844 of 2016

Postmaster General & others Vs. Living Media India Ltd. & another, (2012)

3 SCC 563.

17.01.2017
Vimal

[RAJIV NARAIN RAINA]
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>
<i>Whether Reportable:</i>	<i>No</i>