

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CM No.6191-C/2017 in/and
RSA No.2521 of 2017 (O&M)
Date of decision: 08.5.2017

State of Punjab and another

.... Appellants

VS.

Manjit Kaur

.... Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr.B.M.Vinayak, DAG, Punjab for the appellants

Rajiv Narain Raina, J.(Oral)

Heard.

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 delay 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 128 days of delay in filing the appeal offered by the appellant is not worth acceptance. The appeal is dismissed on the ground of delay.

08.05.2017
MFK

(RAJIV NARAIN RAINA)
JUDGE

1. Whether speaking/non-speaking?
2. Whether reportable?

Yes/No
Yes/No