

C.R.No.1864 of 2016 (O&M)

Manoj Kumar
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**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

C.R.No.1864 of 2016 (O&M)

M/s P.N Writer & Corp. Pvt Ltd

....Petitioner

Versus

Authority U/Payment of Wages Act & Anr.

....Respondents

Date of Order: 25.5.2018

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. Ashok Tyagi, Advocate for the petitioner.

Mr. Rau P.S Girwar, Advocate for the respondent.

AMIT RAWAL, J (ORAL)

Both the parties are *ad idem* that the powers of the Appellate Authority i.e Additional District Judge, Gurgaon qua condonation of 21 days' delay was barred by law in appeal filed under the Payment of Wages Act, 1936 against the award dated 06.12.2014 since the Court did not grant interim stay because of delay.

Learned counsel for the workman submits that he has no objection if delay of 21 days is condoned.

While exercising powers under Article 227 of the Constitution, I am of the view that in an appeal which is statutory right of the employer, the delay would not come in the way as the focus of the Appellate Court should have been on the merits of the matter.

Resultantly, the delay of 21 days in filing the appeal before the Addl. District Judge, Gurgaon is hereby condoned. Appellate Court is

directed to decide the appeal as expeditiously as possible along with interim application in accordance with law.

With the aforesaid terms, petition stands disposed of.

May 25, 2018
manoj

(AMIT RAWAL)
JUDGE

Whether speaking/reasoned: Yes/No
Whether Reportable : Yes/No