

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

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**CWP No. 6830 of 2018
Date of Decision: 19.3.2018**

Somesh Chaudhary and others

.....Petitioners

v.

**Presiding Officer, Industrial Tribunal-cum-Labour Court-II, Gurugram
and others**

.....Respondents

CORAM HON'BLE MR. JUSTICE RAKESH KUMAR JAIN

Present:- Mr. Vishal Garg, Advocate, for the petitioners

RAKESH KUMAR JAIN, J. (Oral)

The petitioners are aggrieved against the order dated 8.2.2017 passed by the Local Complaint committee, Gurgaon, constituted under the provisions of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and order of the Appellate Authority dated 19.2.2018 by which appeal filed by the petitioners has been dismissed on the ground of limitation.

Learned counsel for the petitioners has submitted that the Appellate Authority has committed an error in dismissing the appeal on the ground of limitation otherwise cogent reasons have been given by the petitioners in the application and were pressed before the Court.

I have heard learned counsel for the petitioners and after taking into consideration the reasons mentioned in the application, which is also a part of this case, the impugned order and am of the considered opinion that the

averments made in the application for seeking condonation of delay is totally vague as the petitioners have not given the name of the High Court lawyer to whom the case was entrusted and who had kept the case with him for a long period without filing the same. Moreover, it cannot be believed that the petitioners would not know about the appellate authority which otherwise provided in the Act itself.

Thus, the reasons given in the application are just an after thought and the petitioners could be blamed squarely for filing the appeal after such a long delay of 285 days whereas the time prescribed for filing the appeal is only 90 days.

Thus, looking from any angle, the petitioners have no case for the purpose of interfering with the order passed by the Appellate Authority for condoning the delay in filing the appeal.

Accordingly, the present petition is without any merit and is dismissed as such. No costs.

(RAKESH KUMAR JAIN)
JUDGE

19.3.2018

Ashwani

Speaking/Reasoned
Reportable

Yes/No
Yes/No