

(104)

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

LPA No.1385 of 2017 (O&M)
in CWP No.8120 of 2016
Date of decision: 01.03.2018

Tejinder Kaur

..... Appellant

Versus

State of Punjab and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL.
HON'BLE MR. JUSTICE B.S. WALIA.

Present: Mr. Madhav Pokhrel, Advocate for the appellant.

Rajesh Bindal, J.

Order passed by the learned Single Judge dated 04.10.2016 dismissing the writ petition has been impugned by filing the present intra-court appeal.

Prayer in the writ petition was for setting aside the order dated 21.09.2012 rejecting the request of the appellant for premature retirement and also order dated 05.03.2013 vide which the appellant was dismissed from service. The writ petition was filed about three years after the order of dismissal. The appellant was dismissed on account of her absence from duty. Admittedly she was abroad. The appeal is accompanied by an application seeking condonation of delay of 240 days in filing the appeal.

The ground mentioned in the application is that the applicant/appellant was in Australia, hence, she was not aware of the decision of the writ petition. That can hardly be accepted as explanation for

seeking condonation of 240 days' delay in filing the appeal, especially in the circumstances, when even the dismissal of the appellant is on the ground of her absence from duty for overstaying leave, when she had gone abroad.

For the reasons stated above, application seeking condonation of delay of 240 days in filing the appeal is dismissed. Consequently, the appeal is also dismissed.

(Rajesh Bindal)
Judge

(B.S. Walia)
Judge

01.03.2018
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1. Whether speaking/reasoned : Yes/No.
2. Whether reportable : Yes/No.