

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

LPA No. 1812 of 2017 (O&M)

Date of Decision : 13.12.2018

Punjab State Power Corporation Limited
and others

....Appellants

Versus

Divya Singh

...Respondent

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER
HON'BLE MR JUSTICE LALIT BATRA

Present : Mr.Hittan Nehra, Advocate
for the appellants.

MAHESH GROVER, J.(O)

This appeal is accompanied by an application under Section 5 of the Limitation Act as the appeal has been filed after a delay of 109 days. The application does not reveal any justifiable ground and merely wishes away the delay to procedures.

On 21.09.2017, we had passed an order expressing our dissatisfaction on the contents of the application under Section 5 of the Limitation Act and noted that the appellants being a Corporation would be well equipped and assisted by people of legal acumen with a proper tracking system of their cases. The explanation of not getting information from the counsel would, therefore, not carry much meaning. On the next date of hearing i.e.28.02.2018, there was no representation on behalf of the appellants and this Court in the interest of justice adjourned the matter to 13.08.2018 subject to payment of Rs.2,000/- as costs. On 13.08.2018 there was no representation on behalf of the appellants and the matter was yet adjourned to 13.12.2018. Today a receipt has been shown to us regarding payment of costs but the delay in filing the appeal still remains unexplained as no fresh affidavit has been filed to offer proper justification in

approaching this Court.

We are of the opinion that the State or its functionaries as also the institutions such as the appellants cannot be treated any differently than an ordinary litigant in the matters of delay. Rather, if we have to lean beneficially, we would lean towards an ordinary litigant who is not blessed with resources. But in so far as the appellant-Corporation is concerned, there is absolutely no justification when it has sufficient resources and legal personnel at its command.

Appeal dismissed on the ground of delay.

(MAHESH GROVER)
JUDGE

13.12.2018
dss

(LALIT BATRA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No