

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

LPA No.2215 of 2017 (O&M) in
CWP No.12544 of 2012
Date of Decision:- 18.01.2018.

Chief Engineer, PWD (PH), Haryana and another

...Appellants

Versus

Sunil Kumar and another

...Respondents

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

Present:- Ms. Tanisha Peshawaria, Dy. Advocate General, Haryana.

Rajesh Bindal, J.

This order shall dispose of LPA Nos.2215 and 2256 of 2017, as common question of law and facts are involved.

2. Learned Single Judge while accepting the writ petitions filed by the petitioners directed that they should be reinstated in service with continuity and 50% back wages. Labour Court though found that case of violation of provisions of Section 25-F of the Industrial Disputes Act, 1947 (for short 'the Act') had been made out but has merely awarded compensation of ₹ 35,000/- for seven years of service in one case and ₹ 24,000/- for 5 years of service in second case.

3. Both the appeals have been accompanied by applications seeking condonation of 656 days' delay in filing the appeals. The only ground sought to be raised is that one of the dealing clerk had gone on leave for one month. Thereafter, the matter could not be dealt with

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because of heavy rush of work. This ground cannot be accepted to condone huge delay of 656 days in filing the appeals, especially in a case where violation of provision of Section 25-F of the Act was established.

4. Accordingly, the applications for condonation of delay in filing the appeals are dismissed. Consequently, the appeals are also dismissed.

(Rajesh Bindal)
Judge

(B.S. Walia)
Judge

18.01.2018
rajesh.k.khurana

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