

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

LPA No.2244 of 2017 (O&M)
in CWP No.25153 of 2012
Date of decision: 25.01.2018

State of Haryana and others

.... Appellants

Versus

Jaibir Singh

....Respondent

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

Present: Mr. Samarth Sagar, Addl. A.G., Haryana.

Rajesh Bindal, J.

Aggrieved against the order dated 02.08.2016 passed by the learned Single Judge setting aside the order passed by the General Manager, Haryana Roadways, Rohtak, has been impugned in the present intra-court appeal.

Order has been set aside specifically recording that there was no opportunity of hearing granted to the affected employee before the order was passed while changing his date of regularization. Along with the present appeal, an application seeking condonation of delay of 593 days in filing thereof has been filed.

Reason assigned in the application is that the file regarding filing of appeal moved like a shuttle cock between different departments as a result of which, the delay occurred. From the facts as are mentioned in the application, we do not find this to be a justifiable reason for condoning a huge delay of 593 days in filing the appeal especially when the State had

even failed before the learned Single Judge to justify the action taken regarding passing of the order changing the date of regularization of the respondent-writ petitioner, without any opportunity of hearing. There is no merit in the application seeking condonation of delay.

Accordingly, the application seeking condonation of 593 days' delay in filing the appeal is dismissed. Consequently, the appeal is also dismissed.

(Rajesh Bindal)
Judge

(B.S. Walia)
Judge

25.01.2018
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Whether speaking/reasoned: Yes/No.

Whether reportable : Yes/No.