

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

LPA No. 1077 of 2018 (O&M)

Date of Decision: 18.07.2018

Gagandeep Kaur

.....Appellant

versus

Gurunanak Dev University and another

.....Respondents

**CORAM: HON'BLE MR.JUSTICE KRISHNA MURARI, CHIEF JUSTICE
 HON'BLE MR. JUSTICE ARUN PALLI, JUDGE**

Present : Mr. Sameer Sachdeva, Advocate, for the appellant.

KRISHNA MURARI, C.J.(oral)

This intra-court appeal filed under Clause X of the Letters Patent is directed against the judgment and order dated 22.07.2015 passed by the learned Single Judge dismissing the writ petition filed by the appellant-petitioner.

2. Writ petition was filed seeking a direction to the respondents to declare her result of B.Ed. course for the session 2013-14. Admittedly, the result was withheld on the ground that she failed to produce the requisite certificate claiming border area reservation under which she had applied for admission.

3. Office has reported delay and latches of 996 days in filing the appeal. The appeal is accompanied by an application under section 5 of the Limitation Act duly supported by an affidavit. The reasons set out for delay and latches are that as soon as she was informed of the outcome of the writ petition by her counsel, she engaged one Shri Ram Krishan Chaudhary, Advocate, to pursue her appeal in August-2015. However, since she was in advance stage of pregnancy at that time, she could not get updates from the said Advocate and was blessed with a son on 11.09.2015. On account of complicated delivery and weak health of new born baby she was busy with

the post natal care. It is further stated that in June-2017, she was detected with gall bladder stone and was admitted in hospital and where she was operated and discharged after 15 days. It is also stated that on account of various challenges in matrimonial life and family obligations, she could not contact the said Advocate personally and whenever she tried to contact, either he was not available or told her to call him later. It is only in December-2016 it came to her knowledge that Advocate has shifted and settled in Canada and thereafter with great difficulty with the help of another Advocate she obtained the relevant documents and applied for certified copy in January-2018 and thereafter the appeal has been filed.

4. The allegations made in the application and affidavit for explaining the inordinate delay are not supported by any documentary medical evidence. In the absence of any such evidence, the story build up is a little hard to digest. It appears that the entire story has been cooked up just to explain the delay and it does not inspire any confidence.

5. Apart from the above even though certified copy is alleged to have been obtained in January-2018, the present appeal was presented on 25.05.2018. Inordinate delay of 996 days in filing the appeal is not liable to be condoned on such vague and irrelevant grounds. Thus application under section 5 of the Limitation Act stands dismissed.

As a consequence, the appeal stands dismissed as barred by limitation.

(KRISHNA MURARI)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

18.07.2018
ravinder

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