

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

**CM-2887-LPA-2018 in/and
LPA No. 1079 of 2018 (O&M)
Date of decision: 21.9.2018**

Sunita Devi

... Appellant

Versus

**The Registrar, Punjab and Haryana High Court, Chandigarh and
another**

... Respondents

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

**Present: Mr. Nakul Sharma, Advocate
for the applicant-appellant.**

KRISHNA MURARI, CHIEF JUSTICE (Oral)

This intra-court appeal, under Clause X of the Letters Patent, has been filed by the appellant-petitioner challenging the judgment and order dated 3.3.2017, passed by the learned Single Judge, dismissing her writ petition.

Office has reported delay and laches of 422 days in filing this appeal. The appeal is accompanied by an application under Section 5 of the Limitation Act, 1963, which is supported by an affidavit. The reasons set out therein to explain the delay are that initially, she had no information about the order vide which her writ petition had been dismissed. Thereafter, it is stated that due to unavoidable circumstances and ill health of appellant's old age parents, she could not pursue her case. Further, it is stated that since she was continuing her job at Punjab Agriculture University, Ludhiana, and

**CM-2887-LPA-2018 in/and
LPA No. 1079 of 2018 (O&M)**

-2-

had to visit Ludhiana to Patiala, it was very difficult for her to pursue the case. However, when she came to know that her writ petition had been dismissed, immediately without any further delay, present appeal was filed.

The above explanation is as vague as anything could be. The appellant has not taken care to even disclose as to when and how she came to know about the judgment dismissing her writ petition. It appears that these assertions have been simply cooked up for the purpose of this appeal and the same do not inspire confidence. Thus, the delay of 422 days in filing the appeal is not liable to be condoned on such vague and irrelevant consideration.

In view of the aforesaid facts and circumstances, we are of the considered opinion that the application under Section 5 of the Limitation Act is without any merit and the same stands dismissed.

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

**(KRISHNA MURARI)
CHIEF JUSTICE**

**(ARUN PALLI)
JUDGE**

September 21, 2018
AK Sharma

Whether speaking / reasoned:	YES
Whether Reportable:	NO