

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

LPA No.1785 of 2018(O&M)
DATE OF DECISION: 15.11.2018

Union of India and another

....Appellants

versus

Narender Kumar

.....Respondent

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

Present: Ms. Anita Balyan, Advocate for the appellants

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KRISHNA MURARI, CHIEF JUSTICE: (Oral)

This intra court appeal is directed against the judgment and order of the learned Single Judge dated 09.11.2017. Office has reported delay and latches of 316 days in filing the appeal.

An application under Section 5 of the Limitation Act has been filed along with the affidavit seeking condonation of delay. The explanation submitted only contains the details of the movement of the file from one office to another without there being any explanation for the delay which has occurred. Apparently, the delay has occurred on account of callous attitude of the officials of the appellants. The file kept on moving from one desk to another and from one office to another from 23.11.2017 when the certified copy of the impugned order is stated to have been received till 13.08.2018 when the Letters Patent Appeal is said to have been drafted.

In the absence of any plausible explanation for this inordinate delay except for the details of the movement of the file, we do not find that there exists any sufficient cause to condone this inordinate delay in filing the appeal.

Accordingly, the application under section 5 of the Limitation Act stands dismissed. As a result, the appeal stands dismissed as barred by limitation.

(KRISHNA MURARI)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

15.11.2018
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NOTE:

Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO