

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

LPA No.299 of 2018 (O&M) in
CWP No.22376 of 2017
Date of Decision:- 01.05.2018.

Manoj Kumar

...Appellant

Versus

The Presiding Officer, Industrial Tribunal-cum-Labour Court, Panipat and
another

...Respondents

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

Present:- Mr. Shilak Ram Hooda, Advocate
for the appellant.

Rajesh Bindal, J.

Order passed by the learned Single Judge dated 29.09.2017, dismissing the writ petition, has been challenged by filing the present intra-court appeal.

In the writ petition, challenge was to the award dated 21.03.2005, passed by the Labour Court, whereby the question referred was answered against the workman, as he failed to put in appearance. Application for setting aside of ex-parte award was filed on 23.12.2005. However, the same was dismissed for non-prosecution on 22.05.2006. Thereafter, again application for setting aside of ex-parte award dated 21.03.2005 was filed on 21.08.2006, however, the same again dismissed on 03.06.2011.

Aforesaid order was impugned by filing Civil Revision No.7278 of 2011, which was dismissed as withdrawn on 12.02.2014 to enable the appellant

to challenge the award dated 21.03.2005. Thereafter, the appellant kept quiet for more than three years as he filed the writ petition in January, 2017.

Keeping in view the aforesaid facts, we find that the appellant is at fault at every stage. Therefore, there is no error in the order passed by the learned Single Judge, in dismissing the writ petition. The appeal is accordingly dismissed. Consequently, the applications for condonation of delay in filing/refiling the appeal are also dismissed.

(Rajesh Bindal)
Judge

(B.S. Walia)
Judge

01.05.2018

rajesh.k.khurana

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