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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **LPA 103/2017 & C.M. No. 5074/2017 (delay)**

SHIVJI SHARMA Appellant
Through Mr. Jitin Sahni, Advocate

versus

SECRETARY LABOUR & ANR. Respondents
Through Mr. S.S.Pandey, Advocate for
Respondent No.2

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE SANJEEV NARULA

ORDER

% **14.11.2018**

C.M. No. 5074/2017 (delay)

1. The Court is not satisfied with the explanation offered for the delay of 655 days in filing the appeal. In fact, the application gives no explanation except that the Appellant was poor and had financial problems.

2. Accordingly, the application is dismissed.

LPA 103/2017

3. Nevertheless the appeal has also been considered on merits.

4. The Appellant challenged before the learned Single Judge in WP(C) No. 1252/2015 the award dated 19th December, 2013 of the Labour Court whereby in lieu of reinstatement and back wages, he was asked to be paid compensation of Rs.1 lac along with simple interest @ 9% p.a. The learned Single Judge by an order dated 20th March, 2015 upheld the said award and dismissed WP(C) 1352/2015.

5. Considering the fact that the Appellant worked as a non-regular employee in the Respondent No.2 school for five years as a helper, the Court does not consider the award of the Labour Court to be suffering from any legal infirmity which warrants interference.

6. The appeal is accordingly dismissed.

7. The payment due to the Appellant i.e. sum of Rs.1 lac with simple interest @ 9% p.a. as ordered by the Labour Court should be paid to him within a period of eight weeks from today.

S. MURALIDHAR, J.

SANJEEV NARULA, J.

NOVEMBER 14, 2018

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