

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

LPA-413-2019 (O&M)
Date of decision:- 07.05.2019

Deepa Devi

...Appellant

Versus

The Presiding Officer, Labour Court, Ambala and others

...Respondents

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

Present:- Mr. Ishaan Singh Cooner, Advocate,
for the appellant.

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KRISHNA MURARI, C.J. (ORAL)

This intra court appeal under clause X of the Letters Patent is directed against the judgement and order dated 24.10.2017 passed by the learned Single Judge dismissing the writ petition filed by the petitioner (appellant herein) challenging the validity of the award dated 18.03.2016 passed by the Labour Court answering the reference against her.

2. Office has reported delay and laches of 402 days in filing the appeal. The intra court appeal is accompanied by an application under Section 5 of the Limitation Act, 1963 seeking condonation of delay. The only explanation submitted for this inordinate delay of 402 days reads as under:-

"That the appellant/worker applied for the certified copy of impugned order dated 24.10.2017 on 25.10.2017. Same was prepared and delivered on 01.11.2017 and the appellant being a poor lady and out of job could not arrange necessary expenses for preparation of documents and other expenses for filing the appeal and further suffered hardship due to her own health as well as her mother."

3. A perusal of the aforesaid averments made in the delay condonation application goes to show that they are as vague as anything could be and are not supported by any material. As a matter of fact, the averments do not inspire confidence at all and appear to have been concocted only for the purpose of seeking condonation of delay. An inordinate delay of 402 days in filing the intra court appeal is not liable to be condoned on such vague and irrelevant grounds in the absence of any plausible and reasonable explanation. Accordingly, we are not inclined to condone the same. Consequently, Section 5 application seeking condonation of delay in filing the appeal stands dismissed.

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

(KRISHNA MURARI)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

07.05.2019
Amodh

whether speaking/reasoned	Yes/No
whether reportable	Yes/No