

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

SMRITI
2017.10.01 10:43
I attest to the accuracy and
integrity of this document

CWP-23933-2019

Date of Decision: 26.09.2019

Dilawar Singh

... Petitioner

vs.

State of Punjab and Others

.. Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. M.L.Saini, Advocate
for the petitioner.

Mr. Mehardeep Singh, Additional Advocate General, Punjab.

ARUN MONGA, J.(ORAL)

Medical certificate of the petitioner dated 15.05.2015 (Annexure P-2) shows that the petitioner, after meeting with an accident on 05.06.2007, had suffered head injury, which led to memory loss. Petitioner recovered from the said memory loss on 15.05.2015 and, thereafter, filed departmental appeal which was dismissed on the ground of delay.

2. In the premise, the Appellate Authority ought to have looked into the reasons of delay which were sufficiently explained by the petitioner in his appeal.

3. I am of the opinion that in view of complete short shrift to the reasons of delay given by the petitioner, the impugned order, having rejected/dismissed on the ground of delay, is not sustainable in the eyes of law.

4. In view of the above, impugned order(s) is set aside with a direction to the respondents to pass fresh orders by considering the case of the petitioner on merits and as per his contentions raised in the appeal.

5. In the parting, it would be appreciated if petitioner is granted opportunity of personal hearing before deciding afresh the appeal filed by him.

6. Since, the petitioner has been out of job, his appeal be decided expeditiously, preferably, within a period of three months from the date of receipt of certified copy of this order.

7. Disposed of in above terms.

26.9.2019

smriti

(ARUN MONGA)

JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No