

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

LPA-284-2019 (O&M)
Date of decision:- 28.03.2019

Kallu Ram

...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. Jagram Singh Cooner, Advocate,
for the appellant.

* * * *

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 passed by the Labour Court.

2. Office has reported delay and laches of 428 days in filing the appeal. The explanation submitted by the appellant for this inordinate delay is contained in paragraph 2 of Section 5 application which reads as under:-

"2. 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 mother of the appellant was seriously ill and appellant went to his native village in UP to look after her as the father of the appellant already expired in 2008 and there is no other brother and mother unfortunately expired in October, 2018. The appellant returned

back from UP in last week of December, 2018 and thereafter could not arrange necessary expenses for preparation of documents and other expenses for filing the appeal."

3. A perusal of the averments quoted hereinabove goes to show that they are absolutely vague and are not supported by any material. The averments do not inspire any confidence. It appears to us that they have simply been made for the purpose of seeking condonation of delay. An ordinate delay of more than one and a half year in filing the appeal is not liable to be condoned in the absence of any reasonable explanation and on such vague and irrelevant grounds. Accordingly, we are not inclined to condone the delay.
4. Section 5 application stands dismissed.
5. As a consequence, the appeal also stands dismissed as barred by limitation.

(KRISHNA MURARI)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

28.03.2019
Anodh

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No