

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****Date of decision: 20.02.2019****CWP No.24288 of 2018**

XEN Operation Sub Urban, DHBVN, Sirsa

...Petitioner

Vs.

The Appellate Authority under the Payment Wages Act –cum- District
Judge, Sirsa & others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Vishal Garg, Advocate, for the petitioner.

RAJIV NARAIN RAINA, J. (ORAL)

Admittedly, the appeal was filed beyond the period of limitation prescribed under the Payment of Wages Act, 1936 (for short 'the Act'). The order in appeal was passed by the Authority under the Act on 03.05.2017. The appeal was preferred on 27.10.2017. The learned Additional District Judge, Sirsa –cum- Appellate Authority under the Act has dismissed the appeal on the ground of limitation as well as on maintainability since the amount in the decree/order was not deposited as a pre-condition to entertaining the appeal.

Section 17(1) of the Act provides an appeal against an order made by the Authority within thirty days of the date on which the order or direction was made. There is no provision for condoning delay in filing appeal. Therefore, none can be read in to the Act.

Accordingly, I find no illegality or irregularity committed by the Appellate Authority and would dismiss the petition.

20.02.2019

Vimal

**[RAJIV NARAIN RAINA]
JUDGE**

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No