

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

Letters Patent Appeal No. 550 of 2018 (O&M)

Date of Decision: 16.01.2019

Charanjit Singh

.....Appellant

versus

State of Haryana and others

.....Respondents

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

Present : Mr. Pankaj Kundra, Advocate, for the appellant.
Mr. Sharad Aggarwal, Assistant Advocate General, Haryana,
for the respondents.

KRISHNA MURARI, C.J.(oral)

This intra-court appeal under Clause X of the Letters Patent is directed against the judgment and order dated 17.11.2017 passed by the learned Single Judge dismissing the writ petition filed by the appellant on the ground of delay and latches.

2. Admittedly the appellant approached this Court in the year 2015 by invoking Article 226 of the Constitution of India challenging the award passed by the Labour Court dated 29.08.2008. On an objection being raised for delay and latches, the appellant-petitioner filed a Civil Miscellaneous Application for placing on record the medical report relating to his daughter for explaining the delay and latches. Learned Single Judge did not find the ground to be sufficient to condone the delay and relying upon the decision of the Hon'ble Apex Court in case of ***State of Jammu and Kashmir v. R.K.Zalpuri and others (2015) 15 SCC 602***, dismissed the writ petition.

3. We have heard learned counsel for the appellant and perused the record.
4. The facts are undisputed that an award made by the Labour Court on 29.08.2008 has been challenged by filing a writ petition in the year 2015. Thus there is an inordinate delay of almost 7 years in approaching this Court. It is correct that the daughter of the appellant had been suffering from some disease for which she underwent treatment initially in Sant Hospital, Ambala City. The report is dated 22.01.2009. Thereafter there is a prescription of Bhatia Hospital which is dated 07.02.2013 and rest of the medical documents are of 2013. It does not appeal to reason that illness of the daughter of the appellant for which she underwent some tests in 2009 and some treatment in 2013 would preclude the appellant in approaching this Court in 7 years. Despite our sympathies for the illness of the daughter of the appellant, in view of the settled proposition of law an inordinate delay and latches of 7 years in approaching this Court is not liable to be condoned on such vague, irrelevant and unjustifiable reasons. Thus, we find no fault with the view taken by the learned Single Judge in non-suiting the appellant on the ground of delay and latches.
5. Accordingly, the appeal is devoid of merits and stands dismissed in limine.

(KRISHNA MURARI)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

16.01.2019
ravinder

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