

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA
AT CHANDIGARH

LPA-1955-2019 (O&M)

Date of Decision: January 14, 2020

Raj Kumar

... Appellant

Versus

State of Punjab and others

... Respondents

**CORAM: HON'BLE MR. JUSTICE RAVI SHANKER JHA, CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN PALLI, JUDGE**

**Present: Mr. R.S. Bajaj, Advocate,
for the appellant.**

Ravi Shanker Jha, Chief Justice,(Oral)

CM-4444-LPA-2019

For the reasons mentioned in the application, delay of 03 day in filing the appeal is condoned.

Application stands disposed of.

LPA-1955-2019(O&M)

This Letters Patent Appeal has been filed by the appellant-petitioner being aggrieved by an order dated 19.09.2019 passed in CWP-12455-2019, dismissing the petition filed by the appellant-petitioner against order dated 01.08.2011 denying service benefits to the appellant for the period from 24.01.1992 to 20.01.1998 on the ground that the petition was filed after a long lapse of 8 years without any reasonable explanation on the delay.

Learned counsel appearing for the appellant submits that the order was not within the knowledge of the appellant nor communicated to him.

Hence, the delay deserves to be condoned. It is submitted by the learned counsel for the appellant that this aspect has not been taken into consideration by the learned Single Judge. Hence, the impugned order is liable to be set aside.

We have heard learned counsel for the appellant at length.

It is observed that the order denying service benefits was passed by the authorities on 01.08.2011. For a long period of 8 years, the disadvantage of the order dismissing and denying the benefit was within the knowledge of the appellant and was being suffered by him without assailing the same and in such circumstances, learned Single Judge has rightly stated that there is no acceptable explanation furnished by the appellant inspiring any confidence and dismissed the petition on the ground of delay and laches. In the absence of reasonable explanation of delay, we do not find any illegality or perversity in dismissing the petition filed by the appellant.

The appeal filed by the appellant being meritless is, accordingly, dismissed.

(Ravi Shanker Jha)
Chief Justice

January 14, 2020
vkd

(Arun Palli)
Judge

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