



C.M.P.No.8612 of 2022 in W.A.No. SR 42432 of 2012

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THE HON'BLE CHIEF JUSTICE
and
N.MALA, J.

(Order of the Court was made by the Hon'ble Chief Justice)

Heard on the application for condonation of the delay of 842 days in representation of the writ appeal.

2. It is submitted that the appeal against the order of the learned Single Judge was filed on 26.04.2012, but finding it defective it was returned. It is said that the file was given to the junior counsel, who lost it and therefore representation could not be made within time. The facts as to how the defects were cured subsequently when the file was misplaced remain unexplained and the delay in representation is more than two years ie., 842 days. It is otherwise a case to pursue the appeal preferred in the year 2012 against the order of the learned Single Judge in regard to an award passed by the Labour Court. During the intervening period of ten years, the appellant would have settled, otherwise there was no reason for the appellant even not to pursue the application for condonation of delay



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in representation of the appeal for nearly eight years.

3. Therefore, finding this to be a case where the issue in reference to the retrenchment of the petitioner in the year 1998, ie., now the intervening period goes to 24 years, we do not find any justification to condone the delay of 842 days in representation. Accordingly, the petition is dismissed.

(M.N.B., CJ) (N.M.,J.)
24.06.2022

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