

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

222

CACP No.2 of 2020 (O&M)

Date of Decision: November 17th, 2022

Bimal Julka and another

...Appellants

Versus

Surinder Kumar Goel

...Respondent

**CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH
HON'BLE MR. JUSTICE VIKRAM AGGARWAL**

Present: Mr. Udit Garg, Advocate
for the applicant-appellants.

Respondent-Surinder Kumar Goel in person.

AUGUSTINE GEORGE MASIH, J. (ORAL)

CM No.1817-CII of 2020

Prayer in this application is for condonation of delay of 862 days
in filing the present appeal.

Notice of the application has been issued to the respondent, who
has appeared in person.

On considering the submissions made by the counsel for the
applicant as also the respondent, who is present in person, we find there are
some glaring gaps with regard to the explanation to the delay in filing the
present appeal. However, keeping in view the interest of justice, we accept the
explanation as far as the condonation of the delay is concerned subject to
payment of ₹20,000/- to the respondent within a period of four weeks.

CACP No.2 of 2020

Learned counsel for the appellants has made an effort to explain
the inaction which has been found on the part of the respondents by asserting
that they had never received the order passed by the learned Single Judge

which was to be complied with within a specified time. The moment the said order had come to the notice, the appellants also obtained a copy of the representation which had been submitted by the respondent, efforts were made for complying with the order and within a short period of time, the requisite competent authority was called upon to decide the same and the orders passed by this Court had been duly complied with. This explanation as has been sought to be projected by the counsel for the appellants cannot be said to be satisfactory. The imposition of costs of ₹50,000/- upon the appellants also do not call for interference for the reasons as have been mentioned in the order passed by the learned Single Judge. An apprehension has been projected by the counsel for the appellants that the imposition of costs by the learned Single Judge vide order dated 28.07.2017 would have an adverse impact as far as the service career of the appellants is concerned. This apprehension, in our considered view, is misplaced as there is nothing mentioned in the order passed by the learned Single Judge, which would have an impact either on the service career of the appellants nor would it amount to they being held guilty in the contempt proceedings. Just to rule out any misconception, it is clarified that the order passed by the learned Single Judge does not, in any manner, adversely comment upon the appellants, which would affect their service career.

With above observations, the present appeal stands disposed of.

(AUGUSTINE GEORGE MASHI)
JUDGE

November 17th, 2022
Puneet

(VIKRAM AGGARWAL)
JUDGE

Whether speaking/reasoned: Yes
Whether Reportable: No