

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.5306 of 2023

Date of decision: 16.03.2023

M/s Harminster Trading Company

...Petitioner

Vs.

The State of Punjab and others

...Respondents

**CORAM: HON'BLE MS. JUSTICE RITU BAHRI
HON'BLE MS. JUSTICE MANISHA BATRA**

Present: Mr. Dinesh Kumar, Advocate,
for the petitioner.

Ritu Bahri, J. (oral)

Petitioner is seeking quashing of the order dated 06.10.2022 (Annexure P-4), whereby appeal filed by it (petitioner) has been dismissed on the ground of limitation, as it was delayed by 180 days.

The sole ground for dismissing the appeal was that the appellate authority has no power to condone the delay one month after the expiry of 90 days and also that no sufficient cause has been shown by the petitioner for condoning the delay.

Keeping in view the facts of the present case, order dated 06.10.2022 (Annexure P-4) is being set aside, so that the appellate authority can pass a speaking order after hearing learned counsel for the petitioner on merits without going into the ground of limitation. The appellate authority

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will decide the appeal of the petitioner expeditiously, preferably within a period of two months from the date of receipt of certified copy of this order.

Petition stands disposed of accordingly.

(RITU BAHRI)
JUDGE

(MANISHA BATRA)
JUDGE

16.03.2023
ajp

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