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

**CM-1393-LPA-2023 in/and
LPA-521-2023 (O&M)
Date of Decision: 01.05.2023**

Block Development & Panchayat Officer, Ghanour, Patiala

. . . . Appellant

Vs.

Amarjit Singh & Others

. . . . Respondents

**CORAM: HON'BLE MR JUSTICE M.S. RAMACHANDRA RAO
HON'BLE MRS JUSTICE SUKHVINDER KAUR**

Present Mr. Angraze Singh Dhindsa, Advocate
for the appellant.

M.S. RAMACHANDRA RAO, J. (Oral)

CM-1393-LPA-2023

1. This application is filed by the appellant seeking condonation of delay of 367 days in filing the Appeal.
2. It is contended that in the Writ Petition bearing *No.CWP-24322-2016*, out of which this Appeal arises, judgment was pronounced on 23.05.2022 but in the said Writ Petition, only the Block Development and Panchayat Officer, Ghanour was impleaded as a party but the Executive Officer of the Panchayat Samiti had not been made a party properly.
3. It is contended that the concerned Panchayat Samiti, who is the employer of the respondent No.1, is a necessary party to be impleaded as his complete service record is available with the Panchayat Samiti.

It is further contended that the Panchayat Samiti is not aware of the

judgment passed in the Writ Petition, and only after a phone call was received on 21.04.2023, copy of the impugned judgment was sought and then the present Appeal was filed.

4. No objection as to non-impleadment of any necessary party had been raised before the learned Single Judge when the Writ Petition was heard and decided. That apart, the Block Development and Panchayat Officer, Ghanour, District Patiala (appellant herein) was a party in the Writ Petition. Nothing prevented him from informing the Panchayat Samiti, Ghanour, District Patiala of the order passed in the Writ Petition or to take an objection before the learned Single Judge about non-impleadment of the Panchayat Samiti, when the same came to be heard and decided.
5. We are of the opinion that the delay in filing the LPA has not been satisfactorily explained by the appellant.
6. Therefore, this application for condonation of delay in filing the Appeal is dismissed.

LPA-521-2023 (O&M)

7. Having regard to the order passed in the application for condonation of delay, this LPA stands dismissed.
8. Pending application(s), if any, also stands disposed of accordingly.

(M.S. RAMACHANDRA RAO)
JUDGE

(SUKHVINDER KAUR)
JUDGE

May 01, 2023

Mohit goyal

1. *Whether speaking/reasoned?*
2. *Whether reportable?*

Yes/No
Yes/No