



**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH.**

125

**CM-6886-LPA-2024 in/and LPA-2812-2024.
Date of Decision: 11.11.2024.**

Bhajan Kaur and another

....Applicants/appellants.

VERSUS

Union of India and another

....Respondents.

**CORAM : HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL
HON'BLE MS. JUSTICE LAPITA BANERJI**

Present: Mr. Ravneet Singh Joshi, Advocate for applicants/appellants.

Mr. Narender Kumar Vashist, Senior Panel Counsel
for respondents.

ANUPINDER SINGH GREWAL, J. (Oral)

Learned counsel for the applicants/appellants submits that the delay of 514 days in filing the appeal has been sufficiently explained. Applicant/appellant No.1, who is a widow, was unwell and suffering from various ailments which prevented her from preferring the appeal within the period of limitation. He further submits that it is a strong case on merits, therefore, the delay be condoned and the appeal be heard and decided on merits.

2. Heard.

3. The appellants had approached the respondents for compassionate appointment of appellant No.2 on account of death of Harvinder Singh (husband of appellant No.1 and father of appellant No.2), who was an employee of respondent No.2. Appellant No.2, who is the son of appellant No.1, was minor at the time of the death of Harvinder Singh and upon attaining majority, he had sought compassionate appointment after completion of his study. The case of the appellants had been rejected on the ground that appellant No.1 herself is employed as Mandi Officer with Punjab Mandi Board and is drawing a salary of Rs.1 Lakh in addition to the family pension of approximately Rs.33,000/- on account of death of her husband and, therefore, there is no financial crises warranting compassionate appointment for appellant No.2.

4. The appellants had approached this Court by preferring a writ petition (CWP-9530-2023) seeking compassionate appointment of appellant No.2 on account of death of his father Harvinder Singh, who was an employee of respondent No.2. The Single Bench of this Court had dismissed the writ petition by impugned order dated 04.05.2023.

5. The LPA has been preferred after a delay of 514 days. The explanation, which has been put forth is that appellant No.1 was unwell and, therefore, could not file the appeal in time. However, neither the nature of the ailment of appellant No.1 has been set out nor any document indicating her medical condition have been annexed with the application for condonation of delay and in absence thereof it is difficult for this Court to condone the delay. The delay has not been sufficiently explained and, therefore, this Court finds it difficult to condone the inordinate delay of 514 days in preferring the appeal.

6. Consequently, the application seeking condonation of 514 days delay in preferring the appeal is dismissed and the LPA also stands dismissed accordingly.

(ANUPINDER SINGH GREWAL)
JUDGE

(LAPITA BANERJI)
JUDGE

11.11.2024
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Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No