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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **LPA 663/2019 & CM APPL. 45169/2019**

EAGLE HUNTER SOLUTIONS LIMITED

.....Appellant

Through: Mr. R.P. Sharma, Advocate

versus

PREM CHAND

.....Respondent

Through: Mr. Rajat Sharma, Advocate

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

% **18.09.2024**

CM APPL. 45168/2019 (delay)

1. The present application has been filed under Section 5 of the Limitation Act read with Section 151 CPC on behalf of the appellant seeking condonation of delay of 358 days in filing the present appeal.
2. It is stated in the present application explaining the delay that after passing of the judgment dated 17.09.2018 by the learned Single Judge, the applicant/appellant/management had been occupied in many other official and litigation cases/works and hence, could not engage/find a new counsel to deal with the case properly. It is further stated in the present application that the earlier counsel, who was dealing with the matter, had returned the file since he had already lost the case at two stages, one in the learned Labour Court and then in the High Court. The case required proper preparation and therefore, it took time for the applicant/appellant to file the



present appeal.

3. We are of the view that the delay of 358 days in filing the present appeal is not explained properly in the present application, as to how and what steps were taken on day to day basis due to which 358 days delay occurred.

4. We are, therefore, not inclined to allow the present application which seeks condonation of delay of 358 days in filing the present appeal. Accordingly, in view of the above, present application stands dismissed.

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5. Consequently, the present appeal also stands dismissed along with pending application.

SURESH KUMAR KAIT, J

GIRISH KATHPALIA, J

SEPTEMBER 18, 2024/riya