



CWP-10130-2024

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

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CWP-10130-2024

Date of Decision :24.03.2025

**The Punjab State Cooperative Supply
and Marketing Federation Ltd. & another**

...Petitioners

Versus

**The Appellate Authority Under the Payment and
Gratuity Act, 1971, Union Territory & others**

..Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. M.S. Virk, Advocate for the petitioners.

None for the respondents.

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Harsimran Singh Sethi, J. (Oral)

1. In the present petition, the challenge is to the order dated 02.06.2023 (Annexure P/8) passed by the Appellate Authority under the Payment of Gratuity Act, 1972 (hereinafter referred to as '1972 Act'), whereby, the appeal filed by the petitioner-MARKFED has been dismissed on the ground that there was a delay of more than 120 days in filing the appeal, which delay cannot be condoned keeping in view the rules governing the limitation prescribed for filing the appeal under the 1972 Act.

2. It may be noticed that similar question of law came up for consideration before this Court in **CWP-1121-2025 titled as Bank of Baroda vs. Union of India and others decided on 17.02.2025**, which writ petition has already been dismissed by this Court vide order dated 17.02.2025 on the ground that the delay in filing the appeal could not have

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been condoned and the appeal filed by the petitioner therein has rightly been dismissed by the Appellate Authority under the 1972 Act.

3. Once, the appeal has rightly been dismissed by the Appellate Authority under the 1972 Act on the ground of delay, writ petition challenging the said order is not maintainable.

4. Nothing has been pointed out by the learned counsel for the petitioner-MARKFED that the delay in filing the appeal could have been condoned beyond the limit prescribed.

4. Keeping in view the findings recorded by this Court in **CWP-1121-2025 titled as Bank of Baroda vs. Union of India and others decided on 17.02.2025**, the present petition is also dismissed in same terms.

March 24, 2025
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No