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

**FAO-5777-2024 (O&M)
Date of decision: 28.11.2025**

**STATE OF PUNJAB THROUGH ITS EXECUTIVE ENGINEER
...Appellant(s)**

VERSUS

**M/S GAZI BUILDERS AND ANOTHER
...Respondent(s)**

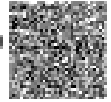
CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Ms. Shruti, AAG, Punjab, for the appellant.

JASGURPREET SINGH PURI, J. (Oral)

CM-21993-CII-2024

1. The present application has been filed under Section 5 of the Limitation Act for condonation of delay of 561 days in filing the present appeal.
2. Ms. Shruti, AAG, Punjab appearing on behalf of the applicant-appellant submitted that there is a delay of 561 days in filing the present appeal, regarding which grounds have been mentioned in the present application. She further submitted that an award of approximately Rs.52 lakhs along with interest was passed and against the aforesaid award, objections were filed by the State of Punjab under Section 34 of the Arbitration and Conciliation Act, 1996, which were dismissed on 01.11.2022 by the learned Additional District Judge, Ludhiana.
3. Learned State counsel submitted that the delay occurred due to inter-departmental communications, the cumbersome process of obtaining



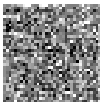
opinions at various levels and the requisite vetting procedure and further because the concerned officer was on flood duty from August, 2025 to September, 2025. She further submitted that otherwise also, there is no *mala fide* on the part of the applicant-appellant and therefore, delay of 561 days in filing the present appeal may be condoned.

4. I have heard the learned State counsel and have also perused the present application seeking condonation of delay.

5. There has been a delay of 561 days in filing the present appeal. A perusal of the present application and the submissions made by the learned State counsel would show that it was because of inter-departmental communications and the time consumed in obtaining opinions at different levels including the requisite vetting for the purpose of filing the appeal, which caused such a large delay of 561 days. One of the grounds which has been taken in the application was that the concerned officer was on flood duty from August, 2025 to September, 2025, which would mean that the officer was busy in flood duty only for two months.

6. It is a settled law that such kind of grounds pertaining to inter-departmental communications and the process of obtaining opinions at different levels do not constitute a “*sufficient cause*” within the ambit of Section 5 of the Limitation Act. Rather the applicant-State should be more diligent in such cases, which cause delay.

7. This Court is of the considered view that the grounds which have been taken in the present application do not constitute a sufficient cause for the purpose of condonation of large delay of 561 days.



8. Consequently, finding no merit in the present application, the same is hereby dismissed.
9. Since the application filed under Section 5 of the Limitation Act seeking condonation of delay of 561 days in filing the appeal is dismissed, the appeal also stands dismissed.

28.11.2025
Chetan Thakur

(JASGURPREET SINGH PURI)
JUDGE

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