



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

**LPA-1200-2026 (O&M)
Date of Decision:30.04.2026**

TARA CHAND

...APPELLANT(S)

VERSUS

STATE OF HARYANA AND OTHERS

....RESPONDENT(S)

**CORAM:- HON'BLE MR. JUSTICE ASHWANI KUMAR MISHRA
HON'BLE MR. JUSTICE ROHIT KAPOOR**

Present: Mr. R. S. Mamli, Advocate
for the applicant-appellant.

Mr. Pankaj Middha, Addl., AG, Haryana.

ASHWANI KUMAR MISHRA, J. (Oral)

CM-2927-LPA-2026 (delay in filing appeal)

1. This application under Section 5 of the Limitation Act, r/w Section 151 CPC, has been filed on behalf of the applicant-appellant seeking condonation of delay of 186 days in filing the accompanying appeal.

2. For the reasons mentioned in the application, the same is **allowed** and delay of 186 days in filing the accompanying appeal stands condoned.

CM-2925-LPA-2026 (delay in re-filing appeal)

3. This application under Section 151 CPC has been filed on behalf of the applicant-appellant seeking condonation of delay of 80 days in re-filing the instant appeal.

4. For the reasons mentioned in the application, the same is **allowed** and delay of 80 days in re-filing the present appeal stands

condoned.

Main Case (O&M)

5. This appeal arises out of the judgment of the learned Single Judge, wherein the Court has refused to entertain the grievance raised by the appellant with regard to the non-consideration of his claim for regularization.

6. Though it has been asserted that the appellant has been working since 1990 but evidence in that regard has not been placed before the Court. The only material placed on record shows his working for some period after 2020. It is for this reason that the learned Single Judge has declined to interfere in the writ petition, with liberty reserved to the appellant to approach the competent forum.

7. The observations made by the learned Single Judge in paragraphs No. 9 to 11 are relevant and are reproduced hereinafter:-

“9. Considering it from either perspective, the instant writ petition raises disputed questions of fact that cannot be gone into by a writ Court at this juncture.

10. The instant writ petition is thus dismissed in limine. Liberty is, however, granted to the petitioner to take recourse to an appropriate alternative remedy to establish its relationship and make any such claim.

11. The observations recorded herein above are solely for the purposes of examining the instant writ petition and the findings recorded above should not be construed as an expression on merits of the case, in the event of the petitioner preferring recourse to any other alternative remedy. In the event of pursuing alternative remedy, the same shall be decided on the basis of the evidence led before

the competent authority.”

8. Though learned counsel for the appellant repeats his submission that the appellant has been working for the last several decades but except for bald assertions, we do not find any such claim to be backed by evidence in that regard.
9. We, therefore, find substance in the observations of the learned Single Judge that the claim raised by the appellant requires determination of disputed factual aspects. For such purposes, the appropriate remedy for the appellant would be to approach the concerned Labour Court/Industrial Tribunal.
10. In that view of the matter, the instant appeal fails and is accordingly ***dismissed***.
11. All pending misc. application(s), if any, also stand disposed of.

[ASHWANI KUMAR MISHRA]
JUDGE

[ROHIT KAPOOR]
JUDGE

APRIL 30, 2026
Rahul Joshi

- | | |
|------------------------------|--------|
| 1. Whether Speaking/reasoned | Yes/No |
| 2. Whether Reportable | Yes/No |