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

+ LPA 218/2026 & CM APPLs. 21918-22/2026

THE DIRECTOR GENERAL (WORKS) CPWD .....Appellant

Through: Mr.Shashank Dixit, CGSC with  
Mr.Kunal Raj, Adv.

versus

ANAND KUMAR GAUTAM & ANR. ....Respondents

Through: Ms.Hetvi Patel, Adv. with Mr.Atul  
Kumar Srivastav, Ms.Anu Priya  
Nisha Minz, Advs.

**CORAM:**

**HON'BLE THE CHIEF JUSTICE**

**HON'BLE MR. JUSTICE TEJAS KARIA**

**ORDER**

% **07.04.2026**

1. Heard the learned counsel for the appellant and the learned counsel for the respondents, who has joined the proceedings of this appeal through video conferencing.
2. This intra-Court appeal challenges the order dated 19.03.2023 passed by the learned Single Judge whereby W.P.(C) 6799/2007 filed by the appellant challenging the award passed by the Labour Tribunal has been dismissed and the award of the Labour Tribunal has been upheld.
3. There is a huge delay of 491 days in filing the appeal coupled with a further delay of 195 days delay in re-filing.
4. We have perused the averments made in CM APPL. 21921/2026 &



CM APPL. 21922/2026, whereby prayers have been made to condone the delay in filing as also the delay which occurred in re-filing.

5. A perusal of the said applications reveals that except for stating in the applications that certain time was consumed in inter-departmental correspondence as well as in the correspondence with the learned counsel, nothing concrete has been shown, which may make out a case for condonation of delay.

6. Hon'ble Supreme Court in a latest judgment in the case of ***State of Odisha & Ors. v. Managing Committee of Namatara Girls High School [2026 SCC OnLine SC 191]*** has clearly held that condonation of delay cannot be claimed as a matter of right rather it is entirely the discretion of the Court whether or not to condone the delay. The Hon'ble Supreme Court has further held that bureaucratic delay does not constitute a ground for condonation of delay.

7. It is also noteworthy that the accompanying appeal has been instituted by the Central Public Works Department.

8. In ***State of Odisha (supra)*** the Hon'ble Supreme Court considered the usual explanation being offered by Government authorities in seeking condonation of delay. Drawing the distinction between an 'explanation' and an 'excuse' in ***State of Odisha (supra)***, it has been held that if explanation offered seeking condonation of delay is incapable of furnishing a judicially acceptable ground, the same cannot be pleaded as a ground seeking condonation of delay. Reviewing the earlier law laid down by Hon'ble Supreme Court in ***Collector, Land Acquisition, Anantnag v. Mst Katiji (1987) 2 SCC 107*** and ***G.Ramegowda v. Land Acquisition Officer (1988) 2 SCC 142***, where a liberal approach was adopted in matters seeking



condonation of delay on behalf of the Government authorities, Hon'ble Supreme Court observed that there is a point beyond which even the Courts cannot help a litigant even if the litigant labouring under the shackles of bureaucratic indifference is the Government.

9. If we examine the reasons given in the aforesaid two applications seeking condonation of delay in filing and re-filing the instant appeal, what we find is that no judicially acceptable explanation comes forth from the appellant, except for mentioning the time taken in various correspondences made inter-departmentally and also with their learned counsel. No plausible reason has been assigned which can constitute sufficient explanation for the delay in filing the instant appeal.

10. For the reasons aforesaid, we find that the explanation offered by the appellant seeking condonation of delay is not sufficient.

11. Accordingly, both the applications, CM APPL. 21921/2026 & CM APPL. 21922/2026, are rejected.

12. Consequently, the appeal along with all pending applications is dismissed.

**DEVENDRA KUMAR UPADHYAYA, CJ**

**TEJAS KARIA, J**

**APRIL 7, 2026**  
**S.Rawat**