



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

**CM-2260-2025 (O&M) in  
LPA-903-2025  
Date of Decision: 14.05.2025**

**State of Punjab and Others**

**. . . . Appellants**

**Vs.**

**Sheela Devi**

**. . . . Respondent**

**CORAM: HON'BLE MR JUSTICE SUDHIR SINGH  
HON'BLE MR JUSTICE ALOK JAIN**

Present: - Ms. Arundhati Kulshreshtha, AAG, Punjab,  
for the appellants.

**SUDHIR SINGH, J.**

CM-2260-2025 has been filed by the appellants, seeking condonation of 1022 days delay in filing the main appeal. The challenge in the main appeal is to the order dated 27.04.2022 passed by the learned Single Judge, vide which the writ petition filed by the respondent, was disposed of in terms of the judgment in CWP No.2371 of 2010 titled as Harbans Lal Vs. State of Punjab and others, decided on 31.08.2010.

2. In the application seeking condonation of delay, it is pleaded by the appellants that after the decision of the writ petition on 27.04.2022, certified copy of the order was received in the Office of Senior Superintendent of Police, Faridkot on 11.05.2022 and thereafter, the case was

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sent to the office of Accountant General (A&E), Punjab, Chandigarh on 14.06.2022 and the Pension Payment Order (PPO) and DCRG was released to the respondent on 07.11.2022 by the office of Accountant General. Vide communication dated 16.03.2023, Senior Superintendent of Police sent the case of payment of interest to the petitioner on the pension and DCRG, to the office of Deputy Controller (A&E), Finance Department, Faridkot for verification, who vide letter dated 20.03.2023 vetted the amount of Rs.4,09,225/-. Accordingly, a letter dated 04.04.2023 was sent to the Office of DGP, Punjab, Chandigarh for administrative sanction of the said amount. Pursuant thereto, the DGP Punjab sent the case for approval to the Government of Punjab, but the Department of Home Affairs and Justice, Government of Punjab sent a letter dated 25.07.2023 to the DGP, Punjab asking for filing of LPA in this case. Thereafter, the correspondence was exchanged between the authorities in respect of filing of the LPA. The requisite grounds of appeal were prepared and got vetted from the Office of Advocate General, Punjab and accordingly, the appeal was filed and in this process, delay of 1022 days has taken place.

3. On a perusal of the grounds taken in the application seeking condonation of delay, it is apparent that the sole explanation for the delay is that the file kept pending before the Administrative Authorities for approval. Initially, the authorities had processed the case of the respondent for payment of the benefits in compliance with the directions issued by the learned Single Judge, but later on, on the asking of the Department of Home Affairs and Justice, Government of Punjab, the process for filing the LPA was initiated.

4. Of course, the appellants have a right to challenge the order passed by the learned Single Judge by way of an appeal, but we find that the manner in which the file kept pending before the Administrative Authorities seeking approval for filing the LPA, is highly deprecated. The delay of 1022 days in filing the appeal clearly speaks of the conduct on the part of the Administrative Authorities that the matter for filing the appeal was processed in a very casual and neglected manner. Though, it is settled law that a *lis* must be decided on merits instead of deciding it on technicalities, yet the fact remains that the litigant must show sufficient reasons for condoning the delay. We, thus, find no reason to condone the said delay.

5. Even otherwise, coming to the merits of the case, from the order passed by learned Single Judge, we find that the sole relief claimed by the respondent in the writ petition was as regards the daily wage service of her late husband for the purposes of service benefits. It is conceded case of the appellants that the service of the late husband of the appellant was regularized on 19.10.2011. The late husband of the respondent had been working with the appellant-authorities since July, 1992 on the daily wage basis. Learned Single Judge has noticed the stand taken by the appellants in para No.4 of their written statement. It was in this backdrop of the matter that the learned Single Judge has disposed of the writ petition in terms of the judgment in Harbans Lal's case (supra) and further awarded the interest @ 6% per annum, as indicated in the impugned order.

6. We find that there is no merit either in the application seeking condonation of delay or the appeal filed by the appellants. As noticed above,

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the order passed by the learned Single Judge is based upon the concession made by the appellants in their written statement.

7. In view of the above, both, the application seeking condonation of delay as also the appeal on merit, are hereby dismissed.

8. Pending application, if any, shall also stand disposed of.

**(SUDHIR SINGH)  
JUDGE**

**14.05.2025**

*poonam*

*Whether speaking/reasoned?*

*Whether reportable?*

**(ALOK JAIN)  
JUDGE**

*Yes/no*

*Yes/no*