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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARHLPA-1362-2026 (O&M)
Date of Decision: 12.05.2026

STATE OF PUNJAB AND OTHERS

....Appellant(s)

Versus

SAWINDER PAL SINGH

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI
HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present: Mr. Raghav Goel, Assistant Advocate General, Punjab.

JASGURPREET SINGH PURI, J. (Oral)CM-3323-LPA-2026

1. The present application has been filed under Section 5 of the Limitation Act seeking condonation of delay of 580 days in filing of the present Letters Patent Appeal.
2. Mr. Raghav Goel, learned Assistant Advocate General, Punjab has submitted that the present is a Letters Patent Appeal filed by the State of Punjab assailing the judgment passed by the learned Single Judge dated 22.08.2024 in CWP No.21423 of 2023, whereby the writ petition was allowed and it was so directed that the punishment of cut of 10% pension could not be imposed upon by the respondent.
3. Learned State counsel submitted that the reasons which caused the delay are stated in the present application and while referring to the present application, he submitted that after the copy of the judgment passed



by the learned Single Judge was received, the matter was sent for the opinion of the learned Advocate General and thereafter, the first opinion was rendered by the learned Additional Advocate General on 14.11.2024 and the second opinion was also rendered on 08.12.2024, wherein it was opined that the case was not fit for filing an appeal. After both the opinions were rendered by the office of the learned Advocate General, the matter was sent for the opinion of the Law Officer of the Department, which was forwarded to the OSD Litigation, who gave a concurring opinion with that of the office of the learned Advocate General and thereafter, the matter was sent to the Government but later on it transpired that the judgment passed by the learned Single Judge should be challenged because it may have an effect upon other cases and thereafter, an opinion was received for filing of Letters Patent Appeal and draft Letters Patent Appeal was prepared and it was filed, which caused a delay of 580 days.

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

5. The latin maxim, *Interest Reipublicae ut sit finis litium*, which means that it is in the interest of the State to put an end to litigation and not to perpetuate it, has been fully acknowledged by the Courts in India. Similarly, the latin maxim, *Vigilantibus Non Dormientibus Jura Subveniunt* is also well acknowledged, which means that the law assists those who are vigilant and not those who sleep over their rights. The delay caused by the State in filing of the present LPA is a large delay of 580 days. Although the length of delay may be only a relevant factor for consideration of condonation of delay but at the same time, whether it constitutes a



“sufficient cause” within the ambit of Section 5 of Limitation Act or not is required to be seen in each and every case.

6. Hon'ble Supreme Court in latest judgment in ***Shivamma (Dead) by LRS Versus Karnataka Housing Board and others, 2025 SCC OnLine SC 1969*** observed that the administrative lethargy and laxity can never stand as a sufficient ground for condonation of delay. The relevant portion of the aforesaid judgment is reproduced as under:-

“261. Thus, for the reasons aforesaid, the impugned order of the High Court deserves to be set aside. Before we proceed to close this judgment, we deem it appropriate to make it abundantly clear that administrative lethargy and laxity can never stand as a sufficient ground for condonation of delay, and we want to convey an emphatic message to all the High Courts that delays shall not be condoned on frivolous and superficial grounds, until a proper case of sufficient cause is made out, wherein the State-machinery is able to establish that it acted with bona fides and remained vigilant all throughout. Procedure is a handmaid to justice, as is famously said. But courts, and more particularly the constitutional courts, ought not to obviate the procedure for a litigating State agency, who also equally suffer the bars of limitation from pursuing litigation's due to its own lackadaisical attitude.

262. The High Courts ought not give a legitimizing effect to such callous attitude of State authorities or its instrumentalities, and should remain extra cautious, if the party seeking condonation of delay is a State-authority. They should not become surrogates for State laxity and lethargy. The constitutional courts ought to be cognizant of the apathy and pangs of a private litigant. Litigants cannot be placed in situations of perpetual litigation's, wherein the fruits of their decrees or favourable orders are frustrated at later stages. We



are at pains to reiterate this everlasting trend, and put all the High Courts to notice, not to reopen matters with inordinate delay, until sufficient cause exists, as by doing so the courts only add insult to the injury, more particularly in appeals under section 100 of the CPC, wherein its jurisdiction is already limited to questions of law.

263. Limitation periods are prescribed to maintain a sweeping scope for the lis to attain for finality. More than the importance of judicial time, what worries us is the plight of a litigant with limited means, who is to contest against an enormous State, and its elaborate and never-exhausting paraphernalia. Such litigation's deserve to be disposed of at the very threshold, because, say if a party litigating against the State, for whatever reason, is unable to contest the condonation of delay in appeal, unlike the present case, it reopens the lis for another round of litigation, and leaves such litigant listless yet again. As courts of conscience, it is our obligation that we assure that a litigant is not sent from pillar to post to seek justice.

264. No litigant should be permitted to be so lethargic and apathetic, much less be permitted by the courts to misuse the process of law.”

(emphasis supplied)

7. In the present case, the reason stated in the application and argued by the learned State counsel was that initially two opinions were obtained from the office of the learned Advocate General, who had opined that it was not a fit case for filing a Letters Patent Appeal but later on it transpired that the Government decided that the Letters Patent Appeal should be filed. We are of the considered view that the aforesaid reason would not constitute a “sufficient cause” within the meaning of Section 5 of the Limitation Act more particularly when the applicant in the present case is



the State itself. We are also guided by the law laid down by the Hon'ble Supreme Court in *Shivamma (Dead) by LRS Versus Karnataka Housing Board and others (supra)*, wherein it was observed that the High Courts should remain extra cautious, if the party seeking condonation of delay is a State-authority.

8. Consequently, we are of the considered view that since the aforesaid ground seeking condonation of delay does not constitute a sufficient cause, the present application seeking condonation of delay of 580 days is hereby dismissed.

9. Since the application for condonation of delay has been dismissed, the main appeal is also dismissed.

10. Miscellaneous applications, if any, shall also stand disposed of since the main appeal has been dismissed.

(JASGURPREET SINGH PURI)
JUDGE

(AMARJOT BHATTI)
JUDGE

12.05.2026

rakesh

Whether speaking
Whether reportable

: Yes/No
: Yes/No