

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

CWP-21039-2015

Date of Decision: 14.12.2015

Krishan Chander

---Petitioner

Vs.

State of Haryana and another

-----Respondents

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

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Present: Mr. Rajiv Kumar Saini, Advocate for the petitioner.

HARINDER SINGH SIDHU, J.

The petitioner, who is presently posted as Manager in Primary Cooperative Agriculture and Rural Development Bank Ltd. Fatehabad has challenged the order dated 29.10.2013 (Annexure P-3) passed by respondent No.3 as also the order dated 23.11.2006 (Annexure P-1) passed by respondent No.2, whereby his representation and revision petition respectively against the imposition of penalty of stoppage of three increments with cumulative effect vide order dated 19.10.2004 and stoppage of two increments with cumulative effect vide order dated 09.06.2006 have been dismissed on the ground of delay.

The petitioner was imposed the punishment of stoppage of three annual increments with cumulative effect vide order dated 19.10.2004 and stoppage of two annual increments with cumulative effect vide order dated 09.06.2006. It is the case of the petitioner that the aforesaid orders were not communicated to him and when he came to know of the aforesaid order in September, 2007, he

immediately submitted representation against the aforesaid punishment on 25.09.2007. But no action has been taken thereon and he again submitted representation to respondent No.2 on 08.03.2008 and the same was rejected vide order dated 23.11.2009 on the ground of being time barred.

It is the case of the petitioner that the said decision dated 23.11.2009 was never communicated to him and it was only on 01.11.2011 that in response to the letter dated 05.10.2011, he was intimated that the Bank had conveyed the decision of the Staff Committee taken on the representation dated 23.11.2009.

The petitioner challenged the order dated 23.11.2009 by filing revision petition No.2 of 2012 dated 05.01.2012 which was dismissed vide impugned order dated 29.10.2013 again on the ground of delay.

Learned counsel for the petitioner states that the revision petition was wrongly dismissed on the ground of delay because the decision dated 23.11.2009 declining his representation was never communicated to him.

The submission of the petitioner cannot be accepted. Two punishments are inflicted on the petitioner vide separate orders dated 19.10.2004 and 09.06.2006. He submitted his representations against those orders on 25.09.2007 and 08.03.2008 by stating that the orders were not known to him and he became aware of the same only in September, 2007. Again same ground of non communication of the order has been taken in respect of filing the

revision petition against the order dated 23.11.2009. Again he asserts that the order dated 23.11.2009 was never communicated to him and he became aware of the same only in 01.11.2011.

There is no basis to accept the claim of the petitioner regarding non-communication of these orders.

The revision petition was dismissed on 29.10.2013. The petitioner has chosen to assail the aforesaid order by filing the present petition after a delay of over two years.

In these facts and circumstances, I see no illegality in the impugned orders and his representation and the revision have rightly been dismissed on the ground of delay. The petitioner is habitual at filing belated claims.

Accordingly, there is no merit in the petition and the same is dismissed.

14.12.2015
Atul

(Harinder Singh Sidhu)
Judge