

In the High Court of Punjab and Haryana, at Chandigarh

Civil Writ Petition No. 24542 of 2015

Date of Decision: 26.11.2015

Gurnam Singh

... Petitioner(s)

Versus

State of Punjab and Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice G.S.Sandhawalia.

Present: Mr. Hemender Goswami, Advocate
for the petitioner(s).

G.S.Sandhawalia, J.(Oral)

The claim in the present writ petition is for an incentive which was to be given for not participating in the general strike on 8.2.1978. The claim is based upon the judgment passed by this Court on 3.10.2013 (Annexure P6) in Civil Writ Petition No. 6956 of 1994.

Admittedly, the petitioner had already retired on 30.11.2008. Nothing has been placed on record to show that during his service period, he ever sought the benefit of such an incentive. A period of more than 37 years have gone by. Limitation is one issue which this Court has to keep in mind. The stale and belated claims as such are to be thrown out firstly on this ground itself. Merely because somebody else similarly situated was pursuing his claim during his service period and had filed a writ more than 20 years back and has got the benefit

subsequently, would not entitle petitioner for such benefit. No fresh cause of action had arisen in his case.

In such circumstances, the present writ petition is dismissed, in *limine*.

(G.S.Sandhawalia)
Judge

November 26, 2015
"DK"