

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

**Civil Writ Petition No.926 of 2015
Date of decision: 21.1.2015**

Jagraj Singh

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr.Preetwinder Singh Dhaliwal, Advocate,
for the petitioner.

1. To be referred to the Reporters or not?
2. Whether the judgment should be reported in the Digest?

RAJIV NARAIN RAINA, J.(Oral)

Whether the petitioner resigned as SPO or not, is being agitated in this Court after 14 years. The only argument raised is that several representations have been made meanwhile informing the police department that the petitioner had in fact not resigned from the post of SPO and, therefore, he should be taken back in service. The cause of action, if any, arose in 1999 and the petition has been filed belatedly and does not merit entertainment. The petition suffers for reasons of delay and laches.

It is well settled by the Constitution Bench of the Supreme Court in **State of M.P. v. Bhailal Bhai**, AIR 1964 SC 1006 that it would be proper for the writ Court to dismiss a petition where the limitation for filing a suit against cause of action has expired.

For the foregoing reasons, no interference is called for in this petition and the same is ordered to stand dismissed.

Learned counsel requests that liberty be given to the petitioner to pursue his administrative remedies for ventilation of the petitioner's grievance. That request is also rejected for the reason that if bar of limitation has come in, it operates equally before the administrator and before the Court without any exception.

(RAJIV NARAIN RAINA)
JUDGE

January 21, 2015

Paritosh Kumar