

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

**Regular Second Appeal No.1860 of 2014 (O&M)
Date of decision: 27.03.2015**

Som Nath Kawatra (Retd.)

.....Appellant

Versus

Punjab State Electricity Board and another

.....Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. R.K. Arora, Advocate,
for the appellant.

Ritu Bahri, J.

Plaintiff-appellant, Som Nath Kawatra, has come up in regular second appeal against the judgments of concurrent finding of fact passed by both the Courts below i.e. Addl. Civil Judge (Senior Division), Jalandhar and the Additional District Judge, Jalandhar, whereby his suit for declaration has been dismissed.

Plaintiff-appellant filed a suit claiming promotion to the post S.A.S. Accountant w.e.f. 12.03.1988 i.e. the date when his juniors namely Jaswant Rai Sharma, Nand Lal and Shiv Dyal Sehgal were promoted.

The stand taken by the defendants-respondents in their written statement was that the plaintiff-appellant became eligible for the said post after passing of the requisite examination on 24.12.1987, whereas aforesaid Jaswant Rai Sharma, Nand Lal and Shiv Dyal Shegal were promoted on 12.03.1988 as they had acquired minimum prescribed service of 5 years as Divisional Accountant at that time. Accordingly, representation of the plaintiff-appellant for promotion was decided by the competent authority on

29.02.2000 vide Ex.P1/Ex.D6. The civil suit challenging the said order was filed on 06.02.2008.

The suit of the plaintiff-appellant had been dismissed on the ground that it was barred by limitation and also on account of the fact that he was not eligible for promotion on the date when his juniors were promoted.

After going through the impugned judgments, this Court is of the view that both the Courts below have rightly dismissed the suit of the plaintiff-appellant on account of limitation, as juniors of the plaintiff were promoted long back in the year 1988 and the civil suit had been filed in the year 2008.

No substantial question of law arises for consideration.

Dismissed.

27.03.2015
ajp

(RITU BAHRI)
JUDGE