

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

RSA No. 3698 of 2014 (O&M)

Date of decision: August 17, 2015

Bhagwant Singh

...Appellant

Versus

State of Punjab and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE K. KANNAN

1. Whether Reporters of local papers may be allowed to see the judgment ?
2. To be referred to the Reporters or not ?
3. Whether the judgment should be reported in the Digest?

Present: Mr. Aminder Singh, Advocate,
for the appellant.

K. KANNAN, J. (Oral)

1. There is no merit in the arguments canvassed by the appellant whose suit for mandatory injunction for reinstatement in service finding that discharge effected by the employer was null and void was dismissed on the ground that the suit had been filed four years after the dismissal. The explanation offered is that he had a back injury and hence could not institute the suit.

2. There is no provision in law for exclusion of time for illness for institution of a suit. The provision to condone the delay is available only for filing an application for which time of limitation is provided and not for suit. The plaintiff contends with passion that he has a strong case and his right cannot be defeated on a plea of limitation. As pitiful and poignant that the plaintiff's case is, I see no scope for interference on his behalf.

3. The appeal is dismissed.

August 17, 2015

prem

**(K.KANNAN)
JUDGE**

