

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

CWP No.17365 of 2016

Date of Decision:-26.08.2016

Zulfi Ram.

.....Petitioner.

Versus

Chief Engineer, PSEB Patiala & Ors.

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Aseeem Sharma, Advocate for the Petitioner.

JASWANT SINGH, J.(ORAL)

Petitioner is stated to be working as a Lineman with the erstwhile Punjab State Electricity Board when vide the impugned order dated 10.09.1984 (P-1) major punishment of stoppage of one increment with cumulative effect was imposed upon him. The statutory appeal is stated to have been filed and dismissed. The punishment order became final. The petitioner on superannuation retired from the rank of Foreman on 28.02.2002.

The petitioner is stated to have challenged the punishment order by filing an application under Section 33 (c) (2) of the Industrial Disputes Act, 1947. The Industrial Tribunal vide award dated 11.12.2012 (P-3) granted arrears of wages w.e.f. 1984 by ordering that the order of stoppage of increment would be treated as non existent. The award P-2 was

No.12560 of 2013 (P-4) by holding that the application itself was not maintainable as the proceedings under Section 33 (c) (2) are in the nature of execution proceedings not in determination of any rules, thus, the award was held to be without jurisdiction. Hence the present writ petition.

After hearing learned Counsel for the petitioner, no case for interference is made out. The challenge is to the punishment order dated 10.09.1984 (P-1) concededly would be barred by law of limitation, therefore, the claim being barred by limitation, no interference is warranted.

Dismissed.

(JASWANT SINGH)
JUDGE

August 26, 2016
Vinay

<i>Whether speaking/reasoned</i>	<i>Yes / No</i>
<i>Whether Reportable</i>	<i>Yes / No</i>