

I am of the view that the present writ petition is badly barred by latches. Sarwan Singh himself was absent from duty with effect from

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23.4.1995. He admittedly received the said chargesheet on 11.11.1997. The dismissal order (Annexure-P-9) was passed on 14.1.1999 and thereafter, said Sarwan Singh remained alive till 22.10.2000. After his death, apparently on account of said dismissal order, no family pension was paid to the petitioner. Now, after 17 years of the passing of said dismissal order and 16 years of death of said Sarwan Singh, the petitioner claims that the family pension is not being paid to him and that the said dismissal order dated 14.1.1999 (Annexure-P-9) is illegal on several grounds.

I am of the view that whatever grounds were available to the petitioner were put-forth before this Court and the dismissal order dated 14.1.1999 (Annexure-P-9) was not challenged within limitation. Apparently, the dismissal order dated 14.1.1999 (Annexure-P-9) was not challenged for next 17 years. The present writ petition is barred by delay and laches. In view of the dismissal order dated 14.1.1999 (Annexure-P-9), the family pension is not required to be paid to the petitioner. There is no ground to interfere in the impugned order. Accordingly, the present writ petition is dismissed.

(KULDIP SINGH)
JUDGE

22.9.2016
sjks

Whether speaking / reasoned : Yes

Whether Reportable : No