

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

**CWP No.20313 of 2016 (O&M)
Date of decision : December 07, 2016**

Rajinder Kaur

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Sunny Singla, Advocate for the petitioner.

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

KULDIP SINGH J. (ORAL)

Tirlochan Singh, husband of the petitioner retired as Punjabi Master on 31.08.2011. It is stated that at the time of his retirement, order dated 13.01.2011 (Annexure P-2) and order Annexure P-3 were passed, vide which the recovery of ₹67,449/- was initiated on the basis of decision taken in CWP No.11498 of 2005.

Trilochan Singh did not challenge the said order during his life time. He expired on 01.09.2015. Now, the petitioner, one year after the death of the husband of the petitioner, has filed the present petition, challenging the aforesaid orders.

I am of the view that the impugned orders were passed on 13.01.2011 and the recovery was effected immediately. Being aggrieved by the said orders, same were required to be challenged within limitation. However, Trilochan Singh (now deceased) when he was alive for the next more than four years, did not challenge the impugned orders and after his death, his wife (petitioner) has challenged the same after the lapse of about

five years, 10 months of the passing of the same.

Learned counsel for the petitioner states that the aforesaid CWP referred in impugned order is regarding one Home Guard Jawan.

I am of the view that even if the order according to the petitioner is illegal, the same was to be challenged within limitation.

As such, the present petition is badly barred by delay and latches.

In view of the above, the present petition is dismissed.

(KULDIP SINGH)
JUDGE

December 07, 2016

sarita

Whether speaking / reasoned Yes

Whether Reportable: No