

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

CWP No. 3197 of 2016

Date of decision: 17.2.2016

Nazar Singh

... Petitioner

Versus

Punjab State Power Corporation Limited & ors.

... Respondents

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. RS Bajaj, Advocate,
for the petitioner.

1. To be referred to the Reporters or not?
2. Whether the judgment should be reported in the Digest?

RAJIV NARAIN RAINA, J.(Oral)

If a civil suit was brought to claim the relief in this petition, it would be barred by limitation. The prayer in this petition is nothing more than recovery of money. The matter has been brought after 5 years of retirement claiming increment benefits which may have arisen long years ago. Where the suit is barred, a writ would ordinarily not issue in view of the Constitution Bench decision of the Supreme Court in **State of Madhya Pradesh v. Bhailal Bhai & ors.**, AIR 1964 SC 1006. The order dated 4.02.2015 passed by this Court directing the respondents to decide the case simpliciter without expressing any opinion does not extend the period of limitation as explained in **State of Uttaranchal & anr. v. Shiv Charan Singh Bhandari & ors.**, (2013) 12 SCC 179.

Dismissed.

**(RAJIV NARAIN RAINA)
JUDGE**

17.2.2016
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