

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.8164 of 2015

Date of Decision: 31.05.2016

Darshan Singh and others

... Petitioners

Versus

State of Punjab and another

... Respondents

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

Present: Mr. Pankaj Jain, Advocate,
for the petitioners.

Mr. Harkesh Manuja, Addl. AG, Punjab.

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

RAJIV NARAIN RAINA, J.

Neither can Mr. Manuja nor this Court see other way to distinguish in principle the decision in LPA No.108 of 2012 titled *State of Punjab and another v. Rupinder Pal and others* decided on November 08, 2012 except that Mr. Manuja points out that the decision in the appeal was passed in November 2012 while the petitioners approached Court in the present petition in April 2015 which is a little more than two years but as he makes this submission the delay is not fatal in my considered view. In any case, the State should desist from taking pleas of limitation when the cause is just and the relief is grantable in terms of settled position reflected in judicial precedents.

As a result, this writ petition is allowed.

**(RAJIV NARAIN RAINA)
JUDGE**

31.05.2016

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