

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Letters Patent Appeal No. 213 of 2016 (O&M)
Date of decision: 6.4.2016

Anil Kumar Malhotra

.. Appellant

v.

State of Punjab and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL

HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. S. B. Nagpal, Advocate for the appellant.

...

Rajesh Bindal J.

By filing the present intra-court appeal, the appellant has challenged the order passed by the learned Single Judge dismissing his writ petition claiming promotion to the post of District Treasury Officer from the date his junior was promoted on 29.9.2006.

After considering the issue in detail, the learned Single Judge dismissed the writ petition on account of delay and laches taking into consideration the fact that the appellant retired from service in August, 2012, the writ petition was filed in August, 2015, for a cause of action which arose to him during his service career in September, 2007. The cause of action cannot be said to be recurring in nature for which the appellant can be permitted to file the writ petition three years after his retirement. While concurring with the view expressed by the learned Single Judge, we do not find any merit in the present appeal. The same is, accordingly, dismissed.

Consequently, the application for condonation of delay in re-filing the appeal is also dismissed.

(Rajesh Bindal)
Judge

(Harinder Singh Sidhu)
Judge

6.4.2016
mk