

COCP No.277 of 2016

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

**COCP No.277 of 2016
Date of Order: 11.01.2017**

Sant Lal Girdhar

....Petitioner

Versus

Atul Pasrija

....Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Umesh Narang, Advocate for the petitioner.

Mr. Indresh Goyal, Addl.A.G, Haryana.

JASWANT SINGH, J (ORAL)

The petitioner is stated to have retired on 31.3.1993 as Junior Engineer from the erstwhile Haryana State Electricity Board. He, in the year 2011, along with 16 other retirees filed a writ petition claiming for grant of ACP Scales and benefit of stepping up pay scales. The claim was based on a judgment passed by Hon'ble Supreme Court in 2006.

From the narration of aforesaid facts, it is apparent that the claim of the petitioner was totally barred by limitation as it could not be considered as a continuing cause of action at least with effect from the date, there was a cession of the relationship of the employer and the employee. However, the seventeen petitioners managed to get an order from this Court directing the Authorities to decide their representations made concededly in the year 2011. The aforesaid direction resulted into passing of an order dated 01.08.2016 (**R.1**) attached with the written statement whereby the claim of the petitioner has been declined.

In the present contempt petition, the petitioner is seeking initiation of contempt proceedings for wilful disobedience of the order dated 24.8.2011 by the respondent-Authority for passing an order after a delay of five years.

After hearing learned counsel for the petitioner, it is apparent that no interference is warranted. Firstly, the claim itself was barred by limitation; and secondly, from the order dated 01.8.2016, it is evident that the Authorities took substantial time to locate the service record of the petitioner from the concerned Power Utility Company. Lastly, even the petition was filed much after the period of limitation as provided under Section 20 of the Contempt of Courts Act.

No ground is made out to entertain this petition.

Dismissed.

January 11, 2017
manoj

(JASWANT SINGH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable : Yes/No