

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

RSA No.1757 of 1993 (O&M)

Date of Decision: 7.4.2017

Gurmail Singh

... Appellant

Versus

Punjab State and another

... Respondents

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

Present: Mr.DD Sharma, Advocate for the appellant

Mr.B.M. Vinayak, DAG, Punjab

RAJIV NARAIN RAINA, J. (Oral)

The dismissal order was passed on 11th July, 1978 and the statutory appeal was dismissed on 13th March, 1979 while the suit was instituted on 5th June, 1986 challenging the dismissal order. These dates certify that the suit was barred by time. Applying the law in State of Punjab and others v. Gurdev Singh Ashok Kumar, AIR 1991 SC 2219, this appeal is dismissed on point of limitation. No other factual or legal aspect requires to be considered by this Court since the suit is barred. Even assuming that the order was void, even then limitation runs because of *Gurdev Singh Ashok Kumar, supra*.

In view of the above, this appeal is dismissed.

**(RAJIV NARAIN RAINA)
JUDGE**

7.4.2017

MFK

Whether speaking/reasoned

Yes

Whether Reportable

No