

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

RSA-840-1995

Date of decision: 08.03.2017

State of Punjab & ors.

.... Appellants

vs

Jasbir Singh Pannu

.... Respondent

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Dr. Puneet Sekhon, Addl.AG, Punjab.

None for the respondent.

Rajiv Narain Raina, J.(Oral)

Without doubt the claim in the suit was recurring in nature since it involves increase in salary and ultimately pension, therefore, learned Lower Appellate Court rightly over-turned the judgment and decree of the trial court and decreed the suit in *toto*.

Learned lower appellate court held that the cause of action is recurring in nature and therefore, the suit was not barred by limitation and has for good and sufficient reasons decreed the claim and rightly restricted the monetary benefits to 38 months prior to the institution of the suit.

There is nothing wrong in what the lower appellate court did in granting relief in a fair, just and equitable manner. The only ground raised in this appeal filed by the State of Punjab is that the suit was beyond limitation.

I have no reason to disagree with the judgment of the Lower Appellate Court based on sound reasoning and would therefore, dismiss the appeal.

**(RAJIV NARAIN RAINA)
JUDGE**

08.03.2017

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1. Whether speaking/non-speaking?

Yes/No

2. Whether reportable/non-reportable?

Yes/No