

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

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Civil Writ Petition No.12985 of 2017

Date of Decision: June 2nd, 2017

Vikram Kumar

...Petitioner

Versus

Punjab State Cooperative Agricultural Development Bank Ltd., Chandigarh
and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Manjit Singh Sarao, Advocate
for the petitioner.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioner has approached this Court challenging the order of punishment dated 26.06.2003 (Annexure P-1) passed by the Managing Director, Punjab State Cooperative Agricultural Development Bank Limited, whereby his two annual increments with cumulative effect were stopped. Appeal against which preferred by the petitioner has also been dismissed by the Appellate Authority on 01.11.2003 (Annexure P-4).

It is the contention of learned counsel for the petitioner that the petitioner was charge-sheeted and punished on the ground that no loan was given to one Kaku Singh, although it was shown to have been actually taken by him. On that complaint, the charge-sheet was issued and he was punished. The appeal was also dismissed. Counsel contends that Kaku Singh filed a suit for declaration to the effect that he has not mortgaged any land for taking the loan. The said declaration suit stands dismissed on 15.06.2004 (Annexure P-6). Appeal against which preferred by said Kaku Singh has also been dismissed by the learned Additional District Judge, Ferozepur, on 24.10.2006. Thereafter the petitioner had filed another appeal before the Chairman of the Punjab State Cooperative Agricultural Development Bank Limited on 14.08.2012 (Annexure P-9) and thereafter to the Registrar, Cooperative Societies, Punjab, on 10.12.2012 (Annexure P-10). Subsequent appeals/representations have also been submitted by the petitioner. Counsel, thus, contends that in the light of the judgments passed by

the Civil Court referred to above, the charge-sheet and the punishment order imposed upon the petitioner, cannot sustain.

I have considered the submissions made by the counsel for the petitioner and with his assistance, have gone through the records of the case.

The inordinate unexplained delay is itself a good ground for dismissal of the present writ petition as it is an admitted fact that the order under challenge i.e. the punishment order is dated 26.06.2003 (Annexure P-1) and the appeal preferred against the same was dismissed on 01.11.2003 (Annexure P-4). That apart, even if the contention of the counsel for the petitioner is taken into consideration with regard to the orders passed by the Civil Court on 15.06.2004 and 24.10.2006, the appeal/representation which has been preferred by the petitioner for the first time is dated 14.08.2012 which is also after a period of almost six years after the order passed by the learned Additional District Judge. The petitioner, therefore, cannot be granted any relief in the light of the inordinate and unexplained delay on his part in approaching this Court which is after a period of more than 13 years from the date of passing of the order of punishment and the appeal.

The writ petition, therefore, stands dismissed.

June 2nd, 2017
Puneet

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No