

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.23025 of 2015

Date of Decision:-10.03.2017.

Navdeep Singh

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present: Mr. Gourav Jain, Advocate for the petitioner.

Mr. Sushil Gautam, DAG, Haryana.

P.B. BAJANTHRI, J. (Oral)

In the instant writ petition, the petitioner has questioned the validity of the order dated 16.4.2002 by which the suspension period from 28.1.2000 to 10.9.2001 is treated as suspension only having regard to the fact that he was involved in a criminal case. Cause of action accrued to the petitioner in the year 2002 whereas the present petition was presented in the month of September, 2015. There is inordinate delay and laches on the part of the petitioner in questioning the order dated 16.4.2002 (Annexure P-2).

Therefore, on the ground of delay and laches, petition stands dismissed.

At this stage, learned counsel for the petitioner relied on following decisions of this Court to contend that it is continuing cause of

action:-

- (i)LPA No.320 of 2013 (Smt. Santra Vs. Dakshin Haryana Bijli Vitran Nigam Ltd. and another).
- (ii)CWP No.14375 of 2003 (Shashi Kumar Vs. Uttri Haryana Bijli Vitran Nigam and another).
- (iii)CWP No.18048 of 1999 (Hukam Singh Vs. State of Haryana and another)
- (iv)CWP No.13909 of 2006 (Chander Singh Dalal Vs. Haryana Dairy Development Co-operative Federation Limited, Chandigarh through its Managing Director and others).

The aforesaid decisions are distinguishable on facts. For the reasons that those matters are not relating to suspension. Therefore, the cited decisions and contention of the petitioner that it is a recurring cause of action is hereby rejected. Moreover, cause of action is on 10.9.2001 the date on which arrears of salary is due to petitioner.

(P.B. BAJANTHRI)
JUDGE

March 10, 2017.
sandeep sethi

Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.