

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

**CWP No.298 of 2017 (O&M)
Date of decision : February 16, 2017**

Dulla Singh

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Gurmeet Singh Saini, Advocate for the petitioner.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

KULDIP SINGH J. (ORAL)

The petitioner along with one Constable Dalip Kumar was selected to undergo the Buglar Course to be conducted at PTC Phillaur w.e.f. 01.04.1976. The petitioner failed to comply with the orders and consequently, he was suspended and the regular inquiry was initiated, which terminated in passing of the order dated 27.01.1977 (Annexure P-3) by the Senior Superintendent of Police, Ferozepur, vide which the whole service of the petitioner, which was rendered till the said date was forfeited. The petitioner preferred an appeal before the Deputy Inspector General of Police on 22.02.1977 (Annexure P-4) and the same was stated to have been dismissed on 14.07.1977. Thereafter, the petitioner remained mum. On 07.07.2002 i.e. twenty five years later, the petitioner filed mercy petition (Annexure P-5) before the Director General of Police, Punjab, Chandigarh, which was dismissed vide order endorsed on 14.10.2015 (Annexure P-6).

I am of the view that the impugned order (Annexure P-3) was endorsed/passed on 27.01.1977 and as stated became final on 14.07.1977.

Mere filing of the mercy petition after twenty five years is no ground to

condone the limitation. For twenty five years, the petitioner remained mum. A regular inquiry was conducted and thereafter, the impugned order was passed.

The contention of learned counsel for the petitioner is that a similarly situated employee Dalip Kumar was exonerated.

If it was so, the petitioner should have immediately moved the concerned authority. The petitioner filed the mercy petition after twenty five years. Thus, there is no illegality or infirmity in dismissing the same. As such, there is no ground to interfere in the same.

Accordingly, the present petition is dismissed.

(KULDIP SINGH)
JUDGE

February 16, 2017

sarita

Whether speaking / reasoned Yes

Whether Reportable: No