

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

CWP No.8991 of 2017 (O&M)

Date of decision : May 01, 2017

Sh. Balkrishan

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Rajesh Kumar Dadwal, 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 is aggrieved of the order endorsed on 01.12.1994 (Annexure P-2) passed by the Executive Engineer (B&R), Public Health Service, Hoshiarpur, vide which according to the petitioner his pay was wrongly fixed. The petitioner retired from service in the year 1998 and continued to draw the pay till retirement and thereafter the pension as per the said pay fixation. Thereafter, now the petitioner have sent two letters in the year 2015-16, which were answered vide letter endorsed on 10.11.2016 (Annexure P-6), stating that the pay was correctly fixed w.e.f. 01.01.1991.

After hearing learned counsel for the petitioner, I am of the view that the present petition is patently barred by limitation. The pay of the petitioner was fixed in the year 1994 w.e.f. 01.01.1991. Thereafter, the petitioner served till 31.01.1998. He did not object to the pay fixation. He continued to draw the salary as per pay fixation till the date of retirement

and thereafter, continued to draw the pension for more than 19 years after his retirement. Now, after 19 years of retirement of the petitioner, he cannot dispute the pay fixation done in the year 1994.

As such, the present petition is dismissed as barred by delay and laches.

(KULDIP SINGH)
JUDGE

May 01, 2017
sarita

Whether speaking / reasoned	Yes
Whether Reportable:	No