

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

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**RSA-2972-2013 (O&M)
Date of Decision: 15.11.2017**

**JASBIR SINGH RANA THROUGH LR'S APPELLANT
VS**

**BOARD OF SCHOOL EDUCATION, HARYANA, BHIWANI
....RESPONDENT**

CORAM: HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. Vishwajeet Singh, Advocate for
 Mr. K.P.S ingh, Advocate
 for the appellant.

 Mr. Sandeep Goyat, Advocate
 for the respondent.

**AJAY TEWARI, J.(Oral)
CM-7897-C-2013**

 This is an application for condonation of delay of 189 days in
refiling the present regular second appeal.

 For the reasons recorded in the application, the same is allowed
and delay of 189 days in refiling the present regular second appeal is
condoned.

Main Case

 This appeal has been filed against the concurrent judgments of the
Courts below dismissing the suit of the appellant.

 Brief facts of the case are that the services of the appellant were
terminated by order dated 10.6.1999. The relevant Regulations of the
respondent provide for one appeal against the order of punishment. The
appellant filed an appeal which was rejected on 6.8.2001. Admittedly, no

further remedies are provided to an aggrieved employee. Ultimately, the suit was filed on 14.6.2008 which was rejected by both the Courts below, as mentioned above on the ground of limitation. Learned counsel for the appellant has argued that the appellant was not guilty of any delay and after the order of 6.8.2001 he filed another appeal which was rejected on 2.9.2003 and thereafter, he approached the Chief Minister who also rejected the claim on 8.3.2006 and from this date the suit was within limitation. Learned counsel for the respondent on the other hand has argued that once the Rules of the respondent provided only one appeal and that appeal was rejected on 6.8.2001 any further representation which the appellant may have made would not have the effect of extending the limitation and this is precisely what has been held by the Courts below. Learned counsel for the appellant is not in a position to show how the filing of non-statutory representation would extend the period of limitation.

Consequently, the appeal stands dismissed.

Since the main case has been decided, the pending civil miscellaneous application, if any, also stands disposed of.

15.11.2017
anuradha

(AJAY TEWARI)
JUDGE

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Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No