

LPA no. 1344 of 2017 (O&M) 1

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

LPA no. 1344 of 2017 (O&M)

Date of Decision : 31.07.2017

Harjinder Pal

....Appellant(s)

Versus

Punjab State Power Corporation Limited and others

...Respondent(s)

**CORAM : HON'BLE MR.JUSTICE MAHESH GROVER
HON'BLE MR JUSTICE RAJ SHEKHAR ATTRI**

Present : Dr. Rau P.S.Girwar, Advocate for the appellant

MAHESH GROVER, J.(ORAL)

CM no.2918-LPA of 2017

Annexures A-1 to A-5 are taken on record. CM stands disposed of.

Main case

This appeal is directed against the judgment of the learned Single Judge dated 18.11.2016 declining interference on the ground of writ petition being preferred belatedly.

The appellant seeks benefit of the scheme of the year 2000 which was made applicable to all the employees. He superannuated in the year 2010, almost a decade after the scheme was applied to the employees. Except for making a stray representation, he did not question the inaction of the State in either deciding his representation or making the benefit of the scheme admissible to him. Even after retiring he waited for 6 long years

before approaching this Court in the writ proceedings. Learned Single Judge

declined interference on the ground that proceedings were hit by delay and latches with which reasoning we would have no reason to differ considering the numerous judgments of the Hon'ble Supreme Court warranting one year as a reasonable time to approach the Court or atleast 3 years which is a limitation for filing of a suit. Claim of the appellant is therefore, hopelessly barred. Hence, instant appeal is hereby dismissed. However, delay of 98 days in re-filing the appeal is hereby condoned.

(Mahesh Grover)
Judge

31.07.2017	
rekha	
Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No

(Raj Shekhar Attri)
Judge