

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

LPA No.1535 of 2017 (O&M)

Date of Decision : 06.11.2017

Vikram Kumar

....Appellant

Versus

Punjab State Cooperative Agricultural
Development Bank Ltd. and others

...Respondents

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

**Present : Mr.Manjit Singh Sarao, Advocate
for appellant.**

MAHESH GROVER, J. (Oral)

The appellant is in appeal against the judgment of the learned Single Judge dated 02.06.2017. He had impugned the order of punishment imposed upon him in the year 2003 against which the appeal filed by him was also dismissed on 01.11.2003. There were some proceedings before the civil court initiated in the year 2004 that culminated in the year 2006. Thereafter the appellant made a representation on 14.08.2012 and the writ petition was preferred in 2017. If this journey of the appellant's grievance is considered, then we are of the opinion that the learned Single Judge was absolutely right in dismissing the writ petition on the ground of delay.

Learned counsel for the appellant contends that stoppage of increments is to be treated as a recurring cause of action and the limitation would not stop till the employee is in service and in this regard he has relied upon a judgment passed in RSA No.2119 of 1988 titled 'Jai Parkash v. State of Haryana', decided on 18.03.2013.

On due consideration of the matter, we are of the opinion that such a plea is unacceptable. Assuming that the stoppage of increments is a recurring cause of action to the appellant, it would still not entitle him to raise a grievance after an inordinate and unexplained delay. Every litigant is expected to be watchful of his rights. In our considered opinion the dismissal order having crystalized in the year 2003 with the appeal following suit in the very same year and then approaching the writ court in 2017 would certainly be fatal to the cause of the appellant. Therefore, the appeal is dismissed as we agree with the learned Single Judge in this regard.

However, marginal delay of 29 days in filing the appeal is condoned for the reasons mentioned in the application.

Appeal dismissed.

(MAHESH GROVER)
JUDGE

06.11.2017
dss

(RAJ SHEKHAR ATTRI)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No