

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

**LPA No.798 of 2017 (O&M)**

**Date of Decision: 21.08.2018**

Gurpinder Kaur

....Appellant

*Versus*

State of Punjab and others

....Respondents

**CORAM: HON'BLE MR. JUSTICE MAHESH GROVER  
HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU**

Present:- Mr. Yogesh Putney, Advocate for the appellant.

Mr. Shireesh Gupta, Sr. Deputy Advocate General, Punjab.

Ms. Aruna Sachdeva, Advocate for respondent No.4.

Mr. S.S.Grewal, Advocate for respondent No.5.

Mr. Kapil Kakkar, Advocate for respondent No.6.

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**MAHESH GROVER, J. (Oral)**

The appellant is in appeal against the judgment dated 20.04.2017 of the learned Single Judge. The appellant faced a selection process unsuccessfully. According to her, the persons having lesser marks were appointed. The learned Single Judge noticed the selection process, concluded in the year 2008 and the incumbents, appointed to the post, confirmed in the year 2011 after having successfully completed their period of probation.

The appellant laid a challenge to the selection process in the year 2013 and she takes the starting point of her grievance from 2011 when the private respondents were confirmed in service to contend that the learned Single Judge was wrong in discarding her plea on the ground of

delay, as the petition was clearly within 3 years (limitation to file a suit) if her cause of action is taken as 2011.

We are of the opinion that no fault can be found with the impugned judgment of the learned Single Judge. The appellant had faced selection process in 2008 and was alive to the issue, which she sought to raise in the writ proceedings in the year 2013. Evidently, she slept over her rights and the mere fact that the confirmation or any other benefit, accruing to the private incumbents, would give her a fresh cause of action is an argument seeped in deep fallacy, for the non selection of the appellant was in 2008 and the service benefits, which flow incidentally to those selected from time to time would be inconsequential for the purpose of delay as the principal cause arose in 2008 itself upon the conclusion of the selection process.

No ground to interfere is made out.

Accordingly, the present appeal is dismissed.

( MAHESH GROVER )  
JUDGE

( MAHABIR SINGH SINDHU )  
JUDGE

August 21, 2018  
Gagan

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| <i>Whether speaking/reasoned</i> | <i>Yes/No</i> |
| <i>Whether Reportable</i>        | <i>Yes/No</i> |