

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

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RSA-2647-2018 (O&M)
Date of decision:04.05.2018

Punjab State Power Corporation Ltd.

... Appellant

Versus

Joginder Pal Foreman (Electrical)

.... Respondent

CORAM: HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present: Mr. Sehaj Bir Singh, Advocate for the appellant.

P.B. BAJANTHRI, J. (ORAL)

In the instant appeal, appellant has questioned the validity of the judgments of trial as well as appellate courts dated 31.07.2014 and 12.01.2018. One and only contention of the appellant is that there is inordinate delay in claiming the benefit of refixation of pay on behalf of the respondent in the suit. Question of delay and laches in respect of refixation of pay has been considered by the Supreme Court in the case of ***M.R. Gupta versus Union of India*** reported in 1995 SCC(5) 628 while holding that refixation of pay would be recurring cause of action. In view of the principle laid down by the Supreme Court in the aforesaid decision, appellant has not made out a case so as to interfere with the judgments of trial as well as appellate courts.

Accordingly, appeal stands dismissed.

04.05.2018

pooja saini

**(P.B.BAJANTHRI)
JUDGE**

Whether speaking/reasons

Yes/No

Whether Reportable:

Yes/No