

In the High Court of Punjab and Haryana at Chandigarh

RSA No. 5284 of 2017
Date of Decision: January 23, 2018

Kuldip Singh

... Appellant

Versus

Punjab State Power Corporation Ltd. Patiala and others

... Respondents

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

Present: Mr. Inderjit Sharma, Advocate,
for the petitioner.

P.B. Bajanthri, J. (Oral)

1. In the instant appeal, appellant has questioned the trial Court's order dated 31.07.2015 as well as appellate Court's order dated 11.04.2017.

2. Appellant's grievance is that he is entitled for promotion to the post of Lab Attendant w.e.f. 31.03.1998 when defendant no.3 was promoted as Lab Attendant and also sought for consequential seniority. Appellant had cause of action for the purpose of promotion on 31.03.1998. Thereafter, he had cause of action on 17.05.2002 the date on which he was promoted as Lab Attendant. Whereas the suit was filed in the year 2011. Therefore, on the ground of delay and laches on the part of appellant, he is not entitled to relief sought in the present appeal to the extent that he is entitled for promotion to the post of Lab Attendance w.e.f. 31.03.1998 and consequential seniority. Supreme Court in the case of ***P.S. Sadasivaswamy vs. State of Tamil Nadu*** reported in ***(1975) 1 SCC 152*** held that insofar as claim relating to promotion seniority one must approach within a reasonable period of one year.

3. In view of these facts and circumstances, appellant has not made out a case. Accordingly, appeal stands dismissed in limine.

January 23, 2018
vkd

[P.B. Bajanthri]
Judge

Whether reasoned / speaking : Yes

Whether reportable : No