

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

LPA-1743-2019 (O&M)

Date of decision:- 04.12.2019

Gurdeep Singh

...Appellant

Versus

State Bank of India

...Respondent

CORAM: HON'BLE MR. JUSTICE RAVI SHANKER JHA, CHIEF JUSTICE
HON'BLE MR. JUSTICE RAJIV SHARMA

Present: Ms. Kamaldeep Kaur, Advocate,
for the appellant.

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RAVI SHANKER JHA, C.J. (ORAL)

This appeal has been filed by the appellant being aggrieved by an order dated 08.05.2019 passed in CWP-10448-2019, whereby the petitioner's petition claiming arrears of pay and all retiral benefits has been dismissed.

Learned counsel for the appellant submits that the appellant had served the respondent-bank as a Messenger from 17.03.1980 upto 1992, whereafter he absented and was accordingly terminated on account of unauthorized absence. It is submitted that in such circumstances the respondent-authorities were required to pay arrears of pay and retiral benefits to the appellant.

On examining the order passed by the learned Single Judge, it is evident that the learned Single Judge has stipulated the fact that the order of termination has attained finality as it was not challenged for a long period of 27 years. The learned Single Judge has also taken note of the fact that the appellant did not complete the necessary qualifying 20 years of service and was, therefore, also not

entitled to any retiral benefits or pension. The learned Single Judge taking note of the delay and laches as well as the fact that no right accrued or existed in the appellant has dismissed the petition.

We do not find any illegality or infirmity in the order of the learned Single Judge as the facts stated therein are undisputed. The appellant having been terminated in 1992 cannot be permitted to approach this Court after a long lapse of 27 years without giving any satisfactory explanation for the same, more so, when the appellant is not entitled to any pension or other retiral benefits under the rules. The learned Single Judge has rightly dismissed the petition with which we respectfully agree.

The appeal filed by the appellant being meritless is accordingly dismissed.

(RAVI SHANKER JHA)
CHIEF JUSTICE

(RAJIV SHARMA)
JUDGE

04.12.2019
Amodh

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