

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

**CWP No.27611 of 2019
Date of decision:15.10.2019**

Kuldeep ... Petitioner

Vs.

State of Haryana and others ... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present:- Dr. Suresh Kumar Redhu, Advocate
for the petitioner.

AMIT RAWAL J. (Oral)

It is a classic case where petitioner has approached this Court after 06 years for challenging the orders dated 23.04.2013 (Annexure P-6) and 11.09.2013 (Annexure P-9) whereby in inquiry proceedings bearing No.80 of 25.10.2012 on account of having served with charge-sheet for remaining absent for 93 days 4 hours punishment of stoppage of annual increments with permanent effect was awarded and absence period was considered as leave of kind due.

Dr. Suresh Kumar Redhu, learned counsel appearing on behalf of the petitioner submits that on account of aforementioned absence, petitioner was also served with charge-sheet resulting into registration of FIR No.164 dated 17.09.2012 under Sections 147, 148, 323, 324, 325, 326 and 506 of Indian Penal Code registered at Police Station Bawani Khera which resulted into exoneration on account of acquittal in FIR.

The appeal (Annexure P-8) preferred against the punishment resulted into dismissal vide judgment dated 11.09.2013 (Annexure P-9). The cause of action accrued only when respondents passed the order dated 03.08.2018 (Annexure P-10) sanctioning 94 days as leave of kind due.

I am afraid the aforementioned argument cannot come to the rescue of petitioner to bring the case within the parameters of reasonable delay, for, the order dated 03.08.2018 (Annexure P-10) is fall out of indictment of the petitioner and dismissal of appeal in 2013. The writ petition suffers from *doctrine akin to delay and laches*.

Dismissed.

(AMIT RAWAL)
JUDGE

October 15, 2019
savita

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No