

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(138)

CWP-7471-2022

Date of Decision : April 07, 2022

Balwinder Singh

.. Petitioner

Versus

Punjab State Power Corporation Limited and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Sandeep Arora, Advocate, for the petitioner.

Mr. Raghav Gulati, Advocate, for the respondents.

HARSIMRAN SINGH SETHI J. (ORAL)

Present petition has been filed by the petitioner with a prayer that the petitioner be granted promotion to the post of R.T.M with effect from the date person junior to him namely Balwinder Singh son of Piara Singh was granted i.e. w.e.f. 31.08.1985.

The grievance of the petitioner started in the year 1985 and it is a conceded position that the petitioner never raised such grievance till he remained in service i.e. upto the year 2014. Even after retirement, the present writ petition has been filed in the year 2022 after a period of more than seven years. The grievance being raises today is 36 years old and that too without there being any challenge to the promotion by which the person allegedly junior to the petitioner, was promoted. The grievance in respect of the service benefits have to be agitated while in service and that too within a

reasonable period when cause of action arose and not after retirement much less after 7 years of retirement.

In the present case, the service benefits are being agitated after more than seven years of the retirement, which is not permissible. At this stage, i.e. after a period of more than 36 years, when the cause of action accrued, the petitioner cannot be allowed to agitate a claim especially when there is no master and servant relationship between the petitioner and the respondents.

No ground is made out to intervene for in respect of the claim of the petitioner.

Accordingly, the present petition is dismissed.

April 07, 2022
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No