

**1359 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

RSA-17-1993 (O&M)

Date of decision: 07.08.2023

State of Punjab and others

..Appellants

Versus

Baldev Singh

.Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Sandeep Chopra, DAG, Punjab
for the appellants

Mr. D.V.Sharma, Sr. Advocate with
Mr. Chinmoy, Advocate for the respondent

ANIL KSHETARPAL, J (Oral)

1. The correctness of the concurrent findings of fact arrived at by the courts below is challenged by the defendants (Punjab State). The suit filed for grant of decree of declaration to the effect that the plaintiff has been wrongly denied the annual grade increments since 01.01.1978 has been decreed. The defendants, while contesting the suit, submitted that the plaintiff did not observe the conduct rules as he did not get the leave sanctioned before proceeding on leave. Both the courts, on appreciation of evidence, have found that no action against the plaintiff was taken for his alleged absence. Thus, both the courts have decreed the suit.

2. Learned counsel representing the respondent submits that all the due benefits were released to the respondent and he is no more in the world.

3. On the other hand, the learned counsel representing the appellants has failed to draw the attention of the Court to any substantive error in reading the evidence. It is not the case of the appellants that the judgment is result of non-reading of the evidence.

4. Hence, no ground to interfere is made out.

5. Dismissed.

6. All the pending miscellaneous applications, if any, are also disposed of.

07.08.2023

rekha

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE