

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

**R.S.A. No.3727 of 2019
Date of Decision: 06.09.2023**

Bahadur Singh

.....Appellant

Versus

The Managing Director, UHBVNL and others

.....Respondents

BEFORE: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Sandeep Goyal, Advocate
for the appellant.

ANIL KSHETARPAL, J.(Oral)

1. The plaintiff assailed the correctness of judgment passed by the First Appellate Court. It has been noticed that the order stopping an increment of the appellant was passed as a matter of punishment on 28.12.1992 whereas the suit was filed on 08.07.2016. Thus, the suit was filed after an unexplained delay of nearly 24 years. Both the Courts below, after examining the case on merits, have recorded a finding of fact i.e. suit filed by the plaintiff was beyond the prescribed period of limitation.

2. It has come on record that the appellant was indulged in serious misconduct i.e. rash and negligent driving of official vehicle and

causing loss to public exchequer. He was also disobeying the orders of his superiors.

3. Hon'ble Supreme Court of India in *State of Punjab vs. Gurdev Singh (1991) 4 SCC I* has held that even a void order is required to be challenged within the period of limitation. In the *State of Punjab vs. Rajinder Singh, 1999 SCC (Labour & Service) 664* held that the order stopping the increment does not give right to continuous cause of action and the order is required to be challenged within a period of three years.

4. Keeping in view the aforesaid facts, no ground to interfere is made out.

Appeal stands dismissed.

September 06, 2023
poonam

(ANIL KSHETARPAL)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>
<i>Whether Reportable:</i>	<i>No</i>