

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

124

CWP-14602-2023

Date of Decision: 03.08.2023

Gurpreet Kaur

...Petitioner

Versus

State Bank of India and Others

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Angel Sharma, Advocate and
Mr. Kunal Jindia, Advocate for the petitioner

Ms. Madhu Dayal, Advocate for the respondents

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Article 226 of the Constitution of India is seeking setting aside of order dated 11.07.2007 (Annexure P-8) whereby husband of the petitioner was removed from service and order dated 13.12.2016 (Annexure P-16) whereby appeal of the husband of the petitioner has been dismissed.

2. The order of dismissal was passed on 11.07.2007 and husband of the petitioner preferred an appeal before Appellate Authority on 15.09.2016 i.e. after more than 9 years from the date of impugned order. The Appellate Authority passed order on 13.12.2016 and as per petitioner, order of appeal was not served, however, from the perusal of order dated 27.09.2019 (Annexure P-15) passed in COCP No.2140 of 2017, it comes out that copy of the order in any case was supplied to the

petitioner on 27.09.2019. The petitioner has preferred present petition after almost four years from the date of order dated 27.09.2019 passed by this Court in COCP No.2140 of 2017.

3. The impugned order was passed on 13.12.2016 and even if plea of petitioner is accepted that it was served upon the petitioner on 27.09.2019, there is no plausible explanation for the delay of 4 years from the date of order passed by this Court in COCP No.2140 of 2017.

4. In the absence of any plausible explanation for the delay of almost 4 years in filing the present petition, this Court does not find it appropriate to invoke its jurisdiction under Article 226 of the Constitution of India, thus, the present petition deserves to be dismissed on the ground of delay and laches and accordingly dismissed.

(JAGMOHAN BANSAL)
JUDGE

03.08.2023
Mohit Kumar

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>