

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

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**2023:PHHC:132884
CWP No.22679 of 2018
Date of Decision:12.10.2023**

Karan Singh Bisht

....Petitioner

VS.

State Bank of India and others

....Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Salil Dev Singh Bali, Advocate
for the petitioner

Mr. Kapil Kakkar, Advocate
for the respondents

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of oral termination order served upon the petitioner on 28.07.2008.

2. The respondents in its reply has pointed out that petitioner was terminated vide order dated 27.06.2008 and it is factually incorrect that petitioner was terminated orally. The respondents in the reply has disclosed factum of passing of order in writing, however, there is no such order on record.

3. Though respondents have not placed on record order dated 27.06.2008 whereby petitioner was terminated yet this Court cannot entertain this writ petition after ten years from the date of termination especially in view of the fact that petitioner has not advanced any plausible

reason for such a delay of ten years. The petitioner has only pleaded that in 2015, Jharkhand High Court had adverted with similar controversy and on merit, allowed writ petition. Jharkhand High Court passed order in 2015 and petitioner has approached this Court in 2018. Firstly, the subsequent judgment does not create remedy which has already become time barred. Secondly, Jharkhand High Court passed order in 2015 and petitioner approached this Court in 2018 and there is no explanation for delay even from the date of passing order by Jharkhand High Court.

4. In the wake of above facts and findings, this Court finds that petition deserves to be dismissed on the ground of delay and laches and accordingly dismissed.

(JAGMOHAN BANSAL)
JUDGE

12.10.2023
paramjit

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No