

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

201

RSA-2568-1994 (O&M)
Date of Decision :22.02.2024

State of Punjab and others

...Appellants

Versus

Surinder Kumar and another

....Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Rohit Ahuja, DAG, Punjab for appellant-State.

None for the respondents.

* * *

Harsimran Singh Sethi, J. (Oral)

1. In the present regular second appeal, challenge is to judgment and decree of the Courts below by which, suit filed by the respondents-plaintiffs was allowed.

2. From the perusal of the record, it transpired that appeal was admitted on the first date of hearing i.e. 25.11.1994 and there was no interim order passed.

3. Thirty years have elapsed since admission of the appeal hence, the judgment and decree of the Courts below must have complied with and respondents-plaintiffs must have retired from service.

3. Keeping in view the fact that judgment and decree of the Courts below has been complied with and the respondents-plaintiffs have already retired, the settled position cannot be disturbed qua seniority and the promotion granted to the respondents-plaintiffs during their service career, which promotion remained in operation till the retirement of the respondents-plaintiffs.

4. Keeping in view the facts recorded hereinbefore that judgment and decree of the Courts below has already been complied with and respondents-plaintiffs have already retired since long and as no perversity has been pointed out in the judgment and decree of the Courts below, present regular second appeal is dismissed.

5. Civil Miscellaneous application pending, if any, is also disposed of

February 22, 2024 (HARSIMRAN SINGH SETHI)
aarti JUDGE

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