

Court No. - 34

Case :- WRIT - A No. - 17779 of 2023

Petitioner :- Satya Deo Vyas

Respondent :- State Of U.P. And 3 Others

Counsel for Petitioner :- Manoj Pathak

Counsel for Respondent :- CSC

Hon'ble Ajit Kumar,J.

Petitioner, who has worked on daily wage basis in the respondent Forest Department. However, subsequently he did not work. It appears that on 25.07.2007 an advertisement was issued by the respondent Forest Department for making recruitment on the post of Surveyor but the petitioner could not apply against the post in question as he had become over aged.

There has been no challenge by the petitioner till date to the advertisement. Petitioner is admittedly not working with the Forest Department since 2005.

I, therefore, do not find any justification for the petitioner to approach this Court after a lapse of 16 years. No relief as such, therefore, can be granted to a person who has slept over the matter for no justifiable reasons.

One must remain vigilant to his rights and must approach a court of law to invoke his rights within a reasonable period. In general law of limitation provides certain period to seek declaration of one's right. In equity, the person seeking to establish his right cannot be permitted to unsettle a position of which others have been beneficiary for a considerably long period of time. A considerable period may be stretched to maximum 6 to 12 months but not a decade to condone delay and laches. I do not see equity to stand in favour of petitioner who did not approach a court of law for over one and half decade.

Petition is accordingly **dismissed** for delay and laches.

Order Date :- 19.10.2023

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