

Court No. - 34

Case :- WRIT - A No. - 18302 of 2023

Petitioner :- Karam Chand Maurya

Respondent :- State Of U.P. And 2 Others

Counsel for Petitioner :- Ajay Kumar Sharma

Counsel for Respondent :- C.S.C.

Hon'ble Ajit Kumar,J.

The petitioner has approached this Court after a lapse of almost 17 years of his retirement in the year 2007 for certain payment of arrears as mentioned therein. Nothing has been explained as to why petitioner has approached this Court after a lapse of so many years and why this petition may not be entertained despite delay and laches.

For an equitable relief under Article 226, the party should approach within a reasonable period of time and the reasonable period shall be between 6 months to 12 months or at the most 3 years, which could be said to be limitation prescribed in common law for declaratory decrees. In the present case, petitioner did not approach the court for last 16 to 17 years and, therefore, no equity stands in his favour. The law is well settled that if a party is not vigilant to his/her rights, no sympathetic consideration can be accorded to grant relief at a highly belated stage.

The writ petition, therefore, is dismissed on the ground of delay and laches.

Order Date :- 1.11.2023

Sanjeev