



2026:DHC:6907-DB



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

CNR No. DLHC010380072026

+ **W.P.(C) 11836/2026 & CM APPL. 54671/2026**

NARAIN SINGH Petitioner

Through: **Mr. Lalta Prasad, Adv.**

versus

GOVT. OF NCT OF DELHI AND ORS Respondents

Through: **Mr. Neeraj Dubey, SPC with
Mr. Jagdev Singh Pairvi Officer, PCR, ASI**

CORAM:

HON'BLE MR. JUSTICE C. HARI SHANKAR

HON'BLE MR. JUSTICE VINOD KUMAR

ORDER (ORAL)

% **17.08.2026**

C. HARI SHANKAR, J.

1. This writ petition has been filed eight years after the order passed by the Central Administrative Tribunal¹.

2. The petition, preferred before this Court on or after August 2026, challenges the order dated 16 February 2017 passed by the Tribunal in OA 3861/2013.

3. No explanation, worth the name, for the aforesaid delay is forthcoming in the writ petition. All that is said is the following:

15. It most respectfully submitted before the Hon'ble court that in the present petition is being filed after laches of more than 8



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years which is beyond the period to file the writ petition. The reason is that he has already mention in earlier paras of the petition that he is suffering illness and due to that he was absence from duty and arbitrary punished by the respondent. Now here not necessary to mention again about his illness after decided the O.A.in year 2017. It is pertinent to mention here that just after waiting and adjusting for approaching to this Hon'ble court the period of Covid-19 was from March 2019 to till April, 2021. In the aforesaid period he was suffering from illness and no earning member in the family due to that he was suffering from financial crisis and bound to living in destitution. Reason to that the minor son left his school and turn to fight from situation but did so as and petitioner again fell seriously ill and taken treatment from AIIMS till 2024. In year 2025 approached the Tribunal and receipt certified copy of the order except the court case records.”

4. The Supreme Court has, in *Mrinmoy Maity v. Chhanda Koley*², held that this Court, while exercising jurisdiction under Article 226 of the Constitution of India, has to remain alive to the aspect of delay and laches. We may reproduce the following paragraph from the said judgment:

“9. Having heard rival contentions raised and on perusal of the facts obtained in the present case, we are of the considered view that the writ petitioner ought to have been non-suited or in other words the writ petition ought to have been dismissed on the ground of delay and laches itself. An applicant who approaches the court belatedly or in other words sleeps over his rights for a considerable period of time, wakes up from his deep slumber ought not to be granted the extraordinary relief by the writ courts. This Court time and again has held that delay defeats equity. Delay or laches is one of the factors which should be borne in mind by the High Court while exercising discretionary powers under Article 226 of the Constitution of India. In a given case, the High Court may refuse to invoke its extraordinary powers if laxity on the part of the applicant to assert his right has allowed the cause of action to drift away and attempts are made subsequently to rekindle the lapsed cause of action.”

5. We would have been inclined to award costs in this case.



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However, as we are declining to interfere with the matter on the very first date of hearing, we refrain from doing so.

6. The writ petition is dismissed on the ground of delay, without going into merits.

C. HARI SHANKAR, J.

VINOD KUMAR, J.

AUGUST 17, 2026/dsn