

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 5031 of 2007**

Arun Kumar Yadav S/o Makhan aged about 38 years, R/o Old Locokholi, Tahsil and District Bilaspur, Chhattisgarh.

---- **Petitioner****Versus**

1. Union of India, through Secretary, Ministry of Railways, Government of India, Rail Bhawan, New Delhi.
2. General Manager, SECR Bilaspur Zone, Bilaspur Chhattisgarh.
3. Sr. Divisional Personal Officer, SEC Railway, Bilaspur, Chhattisgarh.

---- **Respondents**

For Petitioner	:	Shri D.R.Sharma, Senior Advocate with Shri B.D. Badgaiya, Advocate.
For Respondents	:	None.

Hon'ble Shri Navin Sinha, Chief Justice**Order on Board****16/10/2015**

1. Heard Learned Senior Counsel for the Petitioner.
2. Learned Senior Counsel for the Petitioner submits that under memorandum issued by the Respondents, the wards of casual gangman/casual labour after their death or voluntary retirement were eligible to be considered for appointment as casual gangman/casual labour in the Divisional Office of South East Central Railway, Bilaspur. Screening of eligible candidates was done in November, 1989. Still appointment was not provided to the Petitioner till 1993. He therefore filed the writ petition in the year 2007 despite which there has been no progress. No counter-affidavit has been filed by the Respondents also.
3. Having considered the matter, the Court is of the considered opinion that even if there was a policy as claimed, the Petitioner has not been vigilant in pursuing his claims timely and with diligence. Screening was done in November, 1989 for appointment. No appointment was provided till 1993 and yet the writ petition was filed in 2007. The Court is satisfied that the writ petition essentially seeks to raise a stale and belated claim.
4. The writ petition is dismissed.

Sd/-
(Navin Sinha)
CHIEF JUSTICE