

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CWP No.15280 of 2015
Date of decision: 29.07.2015**

Mam Chand

... Petitioner

Vs.

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

1. Whether reporters of local newspapers may be allowed to see judgment?
2. To be referred to reporters or not?
3. Whether the judgment should be reported in the Digest?

Present:- Mr. P.K.Sachdev, Advocate
for the petitioner.

AMIT RAWAL J. (Oral)

The petitioner has knocked the door of this Court challenging the reversion order dated 09.09.2011, purported to have been received in the year 2013. Copy of the same has been annexed with the petition as Annexure P-7.

Mr. P.K.Sachdev, learned counsel appearing on behalf of the petitioner submits that vis-a-vis adverse remarks in his Annual Confidential Report for the year 2005-06, the petitioner was served with show cause notice dated 17.09.2010, which is stated to have been replied on 26.10.2010 vide Annexure P-4. Without considering reply and deciding show cause notice, the petitioner was served one month notice dated 22.12.2011, Annexure P-5, whereby, it was

ordered not to retain him in service beyond the age of superannuation i.e. 55 years. The aforementioned notice Annexure P-5 was challenged by the petitioner vide CWP No.2130 of 2012 and the interim order was passed. Respondents filed written statement to the aforementioned writ petition, disclosed the factum of reversion order but the petitioner did not make any effort to obtain its copy. It has been submitted that the petitioner was not communicated with the order as the respondents did not attach the reversion order. On coming to know in the year 2013, the same has been challenged in the year 2015.

I have heard learned counsel for the petitioner and appraised the paper book.

The present case is a clear cut case of carelessness and casualness on behalf of the petitioner as no explanation has come forth as to what steps petitioner had taken, the moment he acquired the knowledge of order of reversion in the year 2011. The petitioner yet obtained the information with regard to the same in the year 2013 after a gap of 02 years and again after a gap of 02 years, has approached this Court. There is almost gap of 04 years.

It is a matter of record that the petitioner in pursuance to the interim order, has superannuated at the age of 58 years and the present writ petition suffers from the doctrine of delay and laches, because no reasons, much less, reasonable explanation has come forth in approaching this Court in the year 2015, as well as to effort

being made to obtain the reversion order dated 09.09.2011, whereby, the petitioner had been reverted to the post of Conductor.

In view of what has been observed above, there is no merit in the present writ petition and the same is hereby dismissed.

(AMIT RAWAL)
JUDGE

July 29, 2015
savita