

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

LPA No. 2075 of 2014

DATE OF DECISION : 14.05.2015

Rajinder Kaur

.... APPELLANT

Versus

The State of Punjab and another

.... RESPONDENTS

CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present : Mr. Sukbir Singh, Advocate,
for the appellant.

Mr. Gaurav Garg Dhuriwala, DAG, Punjab.

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SATISH KUMAR MITTAL, J. (Oral)

This intra-court appeal under Clause X of the Letters Patent has been filed against the order dated 20.05.2014 passed by the learned Single Judge, whereby the writ petition (CWP No. 15652 of 2013) filed by the appellant challenging the order dated 10.09.2008 passed by the Director, Public Instruction (Secondary Education), Punjab (respondent No.2 herein) rejecting his claim for appointment as Science Mistress in the category of Scheduled Caste (Balmik), has been dismissed, on the ground of delay and laches, while relying upon the decision of the Hon'ble Supreme Court in **State of Uttaranchal and another versus Sri Shiv Charan Singh Bhandari and others**, 2014 (1) SCT 303.

During the course of arguments, it has not been disputed that claim of the appellant for the aforesaid appointment was declined on 10.09.2008 and the writ petition was filed after a period of about five years. In our opinion, the learned Single Judge has rightly dismissed the writ petition, because by that time, appointments had already been made and the selected persons were working. Now, after more than five years of the said appointments, the appellant cannot be permitted to replace the person, who is already working. Thus, we do not find any ground to interfere with the order passed by the learned Single Judge.

No merit. Dismissed.

**(SATISH KUMAR MITTAL)
JUDGE**

May 14, 2015
ndj

**(HARINDER SINGH SIDHU)
JUDGE**