

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 4242 of 2016

G.N.Dihuliya S/o Shri Ashadeen Dihuliya, Aged About 72 Years
Retired Sub Divisional Officer (Agriculture), R/o C/o Lachhinder
Dewangan, Muhal, Sargipalpara, Kondagaon, District Kondagaon
(Chhattisgarh)

---- **Petitioner**

Versus

1. State Of Chhattisgarh Through The Secretary, Agriculture
Department, Mantralaya, New Raipur, P. S. Rakhi, District Raipur
(Chhattisgarh)
2. The Director, Agriculture, Chhattisgarh, Raipur (Chhattisgarh)
3. The Joint Director Agriculture, Bastar Division, Jagdalpur
(Chhattisgarh)

---- **Respondents**

For Petitioner	:	Mr. D.N. Prajapati, Advocate.
For State	:	Mr. Dheeraj Wankhede, G.A.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

31/08/2016

Heard on admission.

1. The petitioner has filed this petition challenging the decision of the Screening Committee taken in the year 2000. The petitioner has prayed that the respondents be directed to give the benefit of pay up-gradation since 01.05.1999. It has also been prayed that arrears of revised salary be also granted with interest.
2. The petitioner's claim was considered way back in the year 2000 when the petitioner was in service. Thereafter, the petitioner retired in the year 2005. It appears that though the petitioner had made some representations, from year 2000 to 2005, the petitioner did not take recourse to any remedy under the law by filing any petition in any Court of law. Thereafter, the petitioner retired in the year 2005. Now, after 11 years, this petition has been filed seeking aforesaid relief.

3. In the opinion of this Court, the petition suffers from gross delay and laches without there being any justifiable explanation so as to condone this delay. Repeated representation, it is well settled, do not by itself, can be treated as sufficient explanation to condone such a long delay. Therefore, without commenting upon merits of the case, the petition is liable to be dismissed and is accordingly dismissed only on the ground of delay and laches.

Sd/-

(Manindra Mohan Shrivastava)
J U D G E

Rekha