

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

CWP No.10988 OF 2016
DATE OF DECISION : 28th MAY, 2016

Kulwant Rai Singal

.... Petitioner

Versus

State of Haryana & another

.... Respondents

CORAM : HON'BLE MS. JUSTICE RITU BAHRI

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Present : Mr. Arvind Galav, Advocate for the petitioner.

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RITU BAHRI, J. (ORAL)

The petitioner is seeking writ of mandamus directing the respondents to take into consideration the vacancies available on 01.11.1966 in compliance of judgment of Division Bench dated 18.01.2011 passed in CWP No.10931 of 1990 titled Gian Singh Vs. State of Haryana & another.

Gian Singh had approached this Court way back in the year 1990 and was seeking promotion to the post of Sub-Divisional Engineer keeping in view the vacancies which became available in the years 1977, 1978 and 1979. The department made one composite selection on promotion in the year 1980, instead of doing it annually on the vacancies available in the preceding three years. The petitioner in that case has acquired AMIE Degree in the year 1978 and the writ petition was allowed with the directions to the respondents to work out the year-wise vacancies in each of the years for which selection was not held i.e. 1977, 1978 and 1979 and then give promotion to the petitioner when he became eligible in the year 1978.

The present petitioner is seeking directions now in the year 2016 to the respondents to work out position of the vacancies in the year 1966 and then extend the benefit to him as per the judgment given in Gian Singh (supra)(Annexure P-4). This prayer of the petitioner is highly belated as Gian Singh approached the Court in the year 1990 and petitioner has slept over his rights all these years. The petitioner had acquired his degree of AMIE in the year 1973 and now after seeking information dated 23.12.2013 (Annexure P-7) through RTI, the petitioner is claiming that the he should be given promotion to the post of Sub-Divisional Engineer w.e.f 01.01.1974. The petitioner has now prepared a chart of position of vacancies right from the year 1966.

The writ petition is dismissed being suffering from delay and laches.

28TH MAY, 2016
'raj'

(RITU BAHRI)
JUDGE