

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Case No. : C. W. P.No. 18746 of 2012

Date of Decision : April 12, 2016

Balwant Singh and others Petitioners
vs.
State of Haryana and others Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL.

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To be referred to Reporters or not ?

Whether the judgment should be reported in the digest ?

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Present : Mr. Ajay Chaudhary, Advocate
for the petitioners.

Mr. Harish Rathee, Senior DAG, Haryana.

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DEEPAK SIBAL, J. :

Through the present petition, the petitioners, who serve the respondents as Beldars-cum-Malis, seek regularisation of their services w.e.f. 01.01.1996 instead of 01.10.2003.

It is undisputed that through order dated 16.10.2006, the petitioners' services were regularised w.e.f. 01.10.2003 i.e. from the date sanctioned posts, against which the petitioners' services could be regularised, were available. The present petition has been filed in September 2012 i.e. after over six years. No explanation has been afforded for the inordinate delay in filing the present petition.

The present petition is grossly belated and thus, requires to be rejected on this ground alone.

The view expressed by me finds support from a recent judgment of this Court in **CWP No.225 of 2015** titled as **Satyabir and others Vs. State of Haryana and others**, decided on **08.01.2015** wherein this Court, while considering a similar issue and after referring to several judgments of the Apex Court as also this Court on the subject of delay, dismissed the petition which had been filed seeking regularization of services with effect from an earlier date after a delay of more than 03 years by holding as under :-

“After hearing learned counsel for the petitioners and perusing the paper book, I do not find any merit in the submissions made. It is not in dispute that the services of the petitioners were regularised with effect from 29.7.2011. As their services were regularised in the year 2011, they felt satisfied. However, after more than three years of regularisation of their services, they filed the present writ petition on 7.1.2015, claiming regularisation in terms of policies dated 28.7.1994 or 1.10.2003, which is highly belated.
[Emphasis supplied]”

In view of the aforesaid facts and the settled position of law, the present petition is dismissed on the ground of delay and laches.

No costs.

(DEEPAK SIBAL)
JUDGE

April 12, 2016
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