

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

**CWP No.16423 of 2016 (O&M)
Date of decision : August 12, 2016**

Dharampal Sharma

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Inderjit Sharma, Advocate for the petitioner.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

KULDIP SINGH J. (ORAL)

Petitioner, who was working as Senior Assistant retired from service on 31.03.2007. The petitioner claims that his promotion was due in the year 2000, but the same was not granted. He had earlier filed CWP No.1841 of 2013, which was withdrawn with liberty to pursue the representations. It is stated that one charge-sheet was issued to the petitioner. Vide order dated 20.03.2014 (Annexure P-11), he was exonerated from the said charges.

I have heard learned counsel for the petitioner and have also carefully gone through the case file.

A perusal of Annexure P-11 shows that the petitioner was charge-sheeted after his retirement on 23.07.2010. The petitioner claims that he was due for the promotion since 2000. It was also claimed that his promotion was considered in the year 2006 and denied.

During his service, the petitioner never challenged the order of denial of his promotion. The order Annexure P-11 pertains to the charge-

sheet, which was issued to the petitioner in the year 2010 i.e. 3 years after his retirement, even then the petitioner did not claim his promotion. Now, after more than 9 years of his retirement, the petitioner claim that he was due to be promoted in the year 2000 i.e. 16 years back and seeks the writ of mandamus directing the respondents to promote him with all the consequential benefits.

I am of the view that the present petition is hopelessly hit by latches. The promotion, which was due 16 years earlier, cannot be claimed after 9 years of the retirement.

As such, the present petition is dismissed.

(KULDIP SINGH)
JUDGE

August 12, 2016

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Whether speaking / reasoned Yes

Whether Reportable: No