

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.16810 of 2016

Date of Decision:- 19.08.2016.

Jagvinder Singh Brar

.....Petitioner

Versus

The State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present: Petitioner in person.

P.B. BAJANTHRI, J. (Oral)

In the present writ petition, petitioner has sought for the following relief:-

“Petition under Articles 226 and 227 of the Constitution of India praying for a writ of Certiorari for quashing the selections made by Respondent No.2 of Respondents No.3 to 8 for extraneous considerations for the post of PCS (Executive Branch) and other allied services on the basis of PCS (Executive Branch) and other allied services Examination, 1989 and for a writ of Mandamus for appointment of the Petitioner and further praying for compensation for the harassment, mental agony, loss of precious years caused by misinformation and withholding the Detail Marks of the Main Competitive Examination and Viva Voce for PCS (Executive Branch) and other allied services Examination, 1989 and for other reliefs as prayed hereinunder.”

The petitioner is stated to be one of the candidate for

recruitment to the post of PCS (Executive Branch). Process of selection commenced in the year 1989-90. The petitioner is stated to be successful candidate while qualifying main Competitive Examination. He had grievance relating to award of marks in the interview. He was pursuing the authorities for supply of detail of marks awarded. Perusal of the writ papers, it is evident that petitioner was actively pursuing the matter from 1990 to 1998. Thereafter in the year 2001 certain progress was in the matter vide Annexure P-4. Further there is a progress in the correspondence only on 5.3.2015. Petitioner is unable to give any explanation for the intervening period from 2001 to 2015. Matter is relating to selection and appointment. The candidate should be alerted in asserting their rights at the earliest. In the present case, selection and appointment relates back to the year 1989-90 and present CWP filed in the year 2016. Courts have held that selection, appointment and promotion matters are to be agitated by affected persons at the earliest. In the present case rights of the contesting respondents are already settled long back as and when they were selected and appointed. Therefore, it is incorrect to disturb their rights after 2 ½ decades. In the entire pleadings, there is no explanation as to why delay has caused during the intervening period from 2001 to 2015. Hence, the writ petition is hopelessly barred by limitation as well as delay and laches.

Petition stands dismissed.

(P.B. BAJANTHRI)
JUDGE

August 19, 2016.
sandeep sethi

Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.