

CWP No. 23830 of 2016

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

**CWP No. 23830 of 2016
Date of Decision : 30.11.2016**

Ram Phal

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. S.K. Daaria, Advocate for the petitioner.

Anupinder Singh Grewal, J.(Oral)

The petitioner is seeking direction to the respondents for regularization of his services w.e.f. 01.04.1993 instead of 01.10.2003.

The petitioner is stated to have been employed with the respondents on daily wages on 03.11.1986. His services were terminated on 29.02.1992. The petitioner raised an industrial dispute challenging his termination order dated 29.02.1992 and the Industrial Tribunal vide award dated 14.11.2000 directed reinstatement of the petitioner. The award of the Tribunal was unsuccessfully challenged by the respondents by preferring a writ petition bearing CWP No. 5951 of 2001 before this Court, which was dismissed on 26.04.2001. SLP No. 6756 of 2014 preferred thereagainst by the respondents was also dismissed by the Supreme Court on 29.10.2001. Ultimately, the services of the petitioner were regularized by the respondents vide order dated 22.03.2005 w.e.f. 01.10.2003.

Learned counsel for the petitioner has contended that as several persons juniors to the petitioner had been regularized w.e.f. 01.04.1993, the

services of the petitioner deserve to be regularized from that date.

I have heard learned counsel for the petitioner.

The sole basis of this petition is that the services of the petitioner should be regularized from the date when his juniors have been regularized. However, service particulars regarding the juniors, who have been regularized ahead of the petitioner, are not forthcoming in this petition. Neither the name of those juniors nor their service details including their date of joining have been set out in this petition. Therefore, no case is made out for issuance of writ as prayed for.

Even otherwise, I am of the considered view that this petition is highly belated. The petitioner has remained silent for over a decade before preferring this petition in the year 2016. It is well settled that those who sleep over their rights and raise their claim after a considerable period of time, would not be entitled to invoke the extra ordinary jurisdiction of this Court under Article 226 of the Constitution of India. Reference can be made to the judgment of Supreme Court in the case of '**Chennai Metropolitan Water Supply & Sewerage Board Vs. T.T. Murali Babu**', (2014) 4 SCC 108.

In the result, the petition stands dismissed.

November 30, 2016.

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**(ANUPINDER SINGH GREWAL)
JUDGE**

Whether speaking/reasoned? Yes

Whether reportable? Yes/No