

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

**CWP No.25284 of 2016 (O&M)  
Date of decision : December 07, 2016**

**Kuldeep Singh**

**..... Petitioner**

**Versus**

**The Secretary and others**

**..... Respondents**

**CORAM : HON'BLE MR. JUSTICE KULDIP SINGH**

**Present:-** Mr. K.S. Sidhu, 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 was promoted as Assistant Engineer, A.E./OT (Elect.), vide order dated 10.06.2010 (Annexure P-1). There was a condition in the order that the petitioner shall have to undergo training for a period of six months as per Regulation 10.4 of erstwhile PSEB Service of Engineers (Elect.) Regulations, 1965 and he would work in his own pay scale. He will be considered for promotion after the receipt of report of work and conduct.

The petitioner assumed the charge of the post on 14.06.2010 (Annexure P-2) and retired from service on 31.08.2010 without completing the six months' training for apparent reason that his service was much less than six months from the date of said promotion.

The petitioner before his retirement had made a representation dated 02.07.2010 (Annexure P-5) for waiving off the said training period.

The recommendations on the said representation was made on 02.07.2010

(Annexure P-6). However, the matter rested there. Since the petitioner had

not completed mandatory training of six months as stipulated in the order dated 10.06.2010 (Annexure P-1) nor the same was waived off. Therefore, the promotional increment was not granted to him.

Now, after about six years and four months of the retirement, the petitioner has approached this Court for seeking grant of promotional benefit of increment along with revised pension etc. of her deceased husband.

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

The question would arise whether the promotional increment is to be granted to the petitioner on account of promotion or not? The promotional increment further depends upon the fact that whether the petitioner is granted exemption from the mandatory training of six months, in view of order dated 10.06.2010 (Annexure P-1). When before the retirement of the petitioner, he made representation and the same was not decided, the petitioner did not move to this Court. He waited for more than six months to approach this Court.

Now, the petitioner wants that the condition of his training should be waived off and after waiving the same, the promotion increment should be granted to him, which will result in the consequential benefits also.

I am of the view that the present petition is badly barred by delay and laches. When exemption from training was not granted to the petitioner and resultantly, promotional increment was not given to him, he should come to this Court within limitation. After such a long delay, this

Court is not inclined to exercise writ jurisdiction on account of delay and latches in approaching this Court.

As such, the present petition is dismissed.

(KULDIP SINGH)  
JUDGE

December 07, 2016

sarita

Whether speaking / reasoned                      Yes

Whether Reportable:                                      No