

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

Sr. No.132

CWP-9001-2016

Decided on : 09.05.2016

Ram Niwas

..... Petitioner

VERSUS

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.K.S.Malik-I, Advocate, for the petitioner.

DEEPAK SIBAL, J. (ORAL)

In the year 1999, the petitioner who served the Transport Department, Haryana as a Sub Inspector, was conveyed an adverse entry doubting his integrity. His representation against the adverse entry was dismissed on 06.12.2005 and nearly six years thereafter on attaining the age of superannuation the petitioner retired from service on 30.11.2011.

The present petition has been filed, seeking a direction to expunge the adverse remarks recorded against him with regard to “doubtful integrity” conveyed to him in the year 1999 against which the petitioner's representation was rejected through order dated 06.12.2005.

The petitioner has filed the present petition after about a decade of the passing of the order dated 06.12.2005 rejecting the representation of the petitioner filed by him against the adverse remarks conveyed to him in the year 1999 and after over 4½ years from the date of his retirement. The petition is, thus, grossly belated and on this ground

alone is liable to be dismissed.

Learned counsel for the petitioner submits that against the afore-referred order dated 06.12.2005, the petitioner had filed a mercy application in the year 2008 which till date remains undecided and, therefore, the present petition should not be rejected on the ground of delay.

Learned counsel for the petitioner has failed to show any provision of law under which the application for mercy was filed by the petitioner in the year 2008. That being so, merely on filing of the afore-referred application in the year 2008, the delay on the part of the petitioner in approaching this Court for the relief claimed cannot be condoned especially when the present petition has been filed after seven years of the filing of the mercy application.

Dismissed.

09.05.2016
shamsher

[DEEPAK SIBAL]
JUDGE