

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

LPA No.644 of 2016 (O&M)

Date of Decision: 12.07.2016

Rajender Singh & Anr.

... Appellants

VS.

State of Haryana & Ors.

... Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT

HON'BLE MR.JUSTICE DARSHAN SINGH

Present: Mr. SK Verma, Advocate for the appellants

SURYA KANT, J. (Oral)

(1) This Letters Patent Appeal assails the order dated 17.09.2015 whereby learned Single Judge has dismissed the appellant's writ petition primarily on account of delay of 13 years.

(2) The facts are not in dispute. The appellants were appointed as JBT in the year 2002, pursuant to the directions issued by this Court in their respective writ petitions which were filed in the year 2001 and 2002. After 13 years, they filed the subject writ petition claiming that they are entitled to be appointed retrospectively from the date when candidates lower in merit were appointed. Learned Single Judge dismissed the writ petition mainly on the ground of delay of 13 years as it was very much in the knowledge of the appellants that candidates lower in merit had been given appointment.

(3) Reliance placed on a decision dated 20.04.2006 of this Court in

Subhash Chander vs. State of Haryana & Ors. (CWP No.588 of 2005)

(P8) does not improve the appellant's case as the said writ petition was filed in the year 2005 and before that even representation etc. were made to the authorities. On the other hand, the appellants went into slumber and woke up after 13 years.

(4) Dismissed.

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(5) Since the appeal has been decided on merits vide separate order of even date, no specific order is required to be passed in this application seeking condonation of delay of 163 days in filing the appeal.

(6) Dismissed.

(Surya Kant)
Judge

12.07.2016
vishal shonkar

(Darshan Singh)
Judge