

HIGH COURT OF CHHATTISGARH, BILASPUR
Writ Petition No.1751 of 2002

1. K.P. Saxena S/o Late S.K. Saxena, aged about 56 years, Assistant Manager (QC) Food Corporation of India Regional Office-Raipur (CG)
2. L.N. Mishra, S/o Late Shri P.D. Mishra Assistant Manager (QC) Food Corporation of India District Office-Raipur (CG)
3. H.S. Sahu, S/o Shri Harikisan Das Sahu, aged about 59 years, Assistant Manager (QC) Food Corporation of India, District Office-Jagdalpur (CG)

---Petitioners

Versus

1. Food Corporation of India through : Managing Director, Food Corporation of India, 16-20, Barakhamba Lane, New Dehli
2. Senior Regional Manager, Food Corporation of India, Regional Office "Chetak Building", M.P. Nagar, Habibganj, Bhopal (M.P.)

---Respondents

For Petitioners	:	Mr.V.G. Tamaskar, Advocate
For Respondents	:	Mr.B.P.Gupta, Advocate

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

03/04/2017

1. The petitioners have filed this writ petition seeking a writ of mandamus directing the respondents to grant notional seniority of Assistant Manager (Quality Control) w.e.f. 4.12.1984.
2. Learned counsel for the petitioners would submit that the petitioners are entitled for seniority w.e.f. 4.12.1984 on the post of Assistant Manager (Quality Control).
3. On the other hand, learned counsel appearing for the

respondents would oppose the writ petition and submit that the writ petition suffers from delay and laches as the seniority list was published on 27th August, 1997 and the petitioner was aware of this fact, however, the writ petition has been filed on 27.8.2002 and the affected persons have not been impleaded as party respondents.

4. I have heard learned counsel appearing for the parties, considered their rival submissions made herein and also gone through the documents appended with the writ petition.
5. From perusal of the record, it is quite apparent that seniority list was published on 27th August, 1997 and the petitioner was aware of publication of the seniority list, despite that he has filed the writ petition on 27.8.2002 with delay of five years. There is no satisfactory explanation for an inordinate delay in filing the writ petition and the affected persons are not impleaded as party respondents in the writ petition.
6. In view of above, the writ petition deserves to be and is accordingly dismissed on the ground of delay and laches. No order as to cost(s).

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-