

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

**WRIT PETITION NO.5217 OF 2013**

Mahendrapal Singh  
s/o. Ranjit Singh Yadav

...Petitioner

vs.

Union of India and Others

...Respondents

Mr. R.K. Singh, for the Petitioner

Mr. C.C. Agrawal, for the Respondent Nos. 1 to 5.

**CORAM : SHANTANU S. KEMKAR &  
M. S. SONAK, JJ.**

**DATE : JULY 25, 2017**

P.C.:

. The Petitioner claims that he was working with Respondent No. 2 on the post of “Constable”. His services were terminated on 14<sup>th</sup> June, 1996. Challenging the said termination order, he had filed an Appeal on 11<sup>th</sup> July, 1996 before the Appellate Authority. The said Appeal was rejected on 14<sup>th</sup> August, 1996. Challenging the order of termination as also the Appellate Authority order, the Petitioner approached one advocate Mr. Chandraprakash Yadav and handed over all the original papers to him to challenge the impugned order by filing appropriate proceeding. However, the said advocate at Uttar Pradesh did not file any proceeding. As a result, since nothing was heard from him, on

6<sup>th</sup> November, 2010 the Petitioner approached to the said advocate who in turn informed that the Petitioner's papers relating to the matter have been misplaced by him and therefore no proceeding have been filed.

2.           Thereafter the Petitioner had filed the Writ Petition No. 4340 of 2011 before the Division Bench of this Court. On 20<sup>th</sup> July, 2012 the Petitioner was allowed to withdraw the Petition with liberty to approach the appropriate authority.

3.           Instead of approaching any authority in terms of the liberty, the Petitioner once again has filed this Petition on 24<sup>th</sup> April, 2013 though the same was already prepared and affirmed on 25<sup>th</sup> October, 2012.

4.           Thus it is clear that the Petition has been filed after inordinate delay challenging the order passed in the year 1996. The explanation seeking condonation of delay as aforesaid and as per the averments made in paragraph Nos. 4 and 14 are not at all satisfactory. Therefore, on the ground of delay and laches to approach this Court, this Petition deserves to be and is hereby dismissed.

(M. S. SONAK, J.)

(SHANTANU S. KEMKAR, J.)