

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 11116 of 2017 (O/M)
Date of decision : 22.5.2017

Chand Singh

..... Petitioner (s)

Versus

State of Haryana and others

..... Respondent (s)

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Sudhir Hooda, 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 ?

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KULDIP SINGH J. (ORAL)

The petitioner was appointed as a Science Master in J.A.V. High School, which was a Government Aided Privately Managed School. However, it was taken over by the Government on 26.2.1969. The petitioner retired from service on 31.3.2003. The petitioner claims that when the said school was taken over by the Government on 26.2.1969, his pay was not protected. The petitioner claims that similarly situated employees approached this Court by way of filing CWP No. 19050 of 2004, which was decided in their favour on 29.9.2010 (Annexure-P-1).

After going through the present writ petition, I am of the view that the present writ petition is badly barred by delay and laches. According to the petitioner, when the said school was taken over by the petitioner on 26.2.1969, his pay was not protected. The petitioner remained silent for all these years. Even the similarly situated employees are stated to have approached this Court in 2004 i.e. 13 years back. The learned counsel

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for the petitioner also relies upon the order dated 25.8.2014 (Annexure-P-4), passed by the Headmaster, Government High School, Nahri Sonipat and order dated 31.12.2015 (Annexure-P-5), passed by the Principal, Government Senior Secondary School, Bhigan, Sonipat.

I am of the view that the cause of action arose to the petitioner in the year 1969, when his pay was not protected. The petitioner retired from service 14 years back. The present writ petition is barred by delay and latches. The same is accordingly dismissed.

(KULDIP SINGH)
JUDGE

22.5.2017
sjks

Whether speaking / reasoned : Yes

Whether Reportable : No