

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

**CWP No.22793 of 2016 (O&M)
Date of decision : January 09, 2017**

S.S. Makkar

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Avneesh Jhignan, 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 ?

KULDIP SINGH J. (ORAL)

Copy of the representation dated 16.06.1999, filed in the Court today, is taken on record.

It comes out that the petitioner is an ex.-serviceman. He joined as Excise and Taxation Officer and retired from service in the year 2001. It also comes out that vide letter dated 18.11.1993 (Annexure P-1), the petitioner was given deemed date of appointment w.e.f. 05.07.1974. The petitioner did not challenge that order till the date of his retirement and even thereafter, he filed the writ petition in the year 2008, seeking the deemed date of appointment as E.T.O. w.e.f. 11.04.1970. The said writ petition was disposed of with a direction to decide the legal notice of the petitioner within two months. Vide order dated 18.08.2009 (Annexure P-2), the said legal notice was decided against the petitioner. The petitioner is stated to have been filed a review application (Annexure P-3) of the same on 17.06.2010. It is stated that the said review application has not been decided so far.

I am of the view that the present petition is badly barred by delay and laches. The initial order was passed on 18.11.1993 (Annexure P-1), when the petition was in service. He did not challenge the same till his retirement i.e. 2001. Thereafter, he approached this Court in the year 2008 and when his legal notice was decided against him in the year 2009 and when his review application filed in the year 2010, was not decided for the years together, he again approached this Court by way of filing of the present writ petition.

Since, the present petition is badly barred by delay and laches, therefore, the same stands dismissed.

(KULDIP SINGH)
JUDGE

January 09, 2017

sarita

Whether speaking / reasoned Yes

Whether Reportable: No