

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

Date of decision: 21.03.2017

CWP No.23430 of 2016

Buta Singh

...Petitioner

Vs.

Food Corporation of India & others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Manish Prabhaker, Advocate, for the petitioner.

RAJIV NARAIN RAINA, J. (ORAL)

The petitioner claims compassionate appointment. His father was engaged as Handling Labour in the Food Corporation of India (FCI). He died in harness in the year 2000. After the death of his father, the petitioner submitted a representation in 2001 claiming ex gratia job. The same was rejected on 08.01.2002. The petitioner did not move a muscle till 01.06.2016, when he moved an application under the Right to Information Act, 2005 for supply of documents. He has approached this Court for directions to the FCI to provide him a job on compassionate grounds. His case is that he was not informed nor conveyed the decision taken on 08.01.2002. He innocently expects the Court to believe that from January, 2002 or at any reasonable time thereafter he would sit quite till June, 2016 without any explanation for the period intervening. But in this he is mistaken. This is a classic case of laches, where party has been grossly negligent in pursuing legal remedy. At least after 2005, he was armed by the Right to Information Act to seek information regarding status of his case for compassionate appointment and should not have waited for another decade

to stir the bowl of relief. In the absence of any documented explanation for inordinate delay of 14 years, it is not possible for this Court to intervene especially when the petitioner was a major when his father died and is stated to be presently 38 years old. That is long enough for a man to fend for himself and mark a career and not depend on the crutches of compassionate appointment.

Consequently, this petition deserves dismissal for the reason of gross delay and laches in the terribly belated approach to seek legal remedy. The petition raises a 'dead' and 'stale' claim and is ordered to stand dismissed.

21.03.2017
Vimal

[RAJIV NARAIN RAINA]
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>
<i>Whether Reportable:</i>	<i>No</i>